

DELEGATED DECISIONS
24 JUNE 2014
ROOM 4 CIVIC OFFICES
AT 5.30 PM
SCHEDULE

ITEM	SUBJECT	DECISION MAKER	PAGE NO
1.	Extension of Cleaning Contract	D Hill (Chief Executive)	3 to 5
2.	Westcroft Reserve Site 3 Development Brief	Councillor Legg (Cabinet member for Public Realm)	6 to 34
3.	Great Linford Neighbourhood Area Applications	Councillor Legg (Cabinet member for Public Realm)	35 to 42
4.	Introduction of Resident Permit Parking Only Scheme to parts of Cumbria Close, Bletchley	Councillor Long (Cabinet member for Health Wellbeing and Community Services)	43 to 45
5.	Community Asset Transfer – Medbourne Pavilion and Playing Fields	Councillor O'Neill (Cabinet member for Community Asset Transfer)	46 to 51
6.	Proposed Change in Age Range at Holmwood School	Councillor Miles (Cabinet member for Children and Lifelong Learning)	52 to 68

Notice of Intention to Hold the Meeting in Private

That the public and press may be excluded from the meeting by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972 during consideration of the Annex to the report listed below.

The Proper Officer of the Council has determined that the Annex should be considered in the absence of the public and press by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, as disclosure would not be in the public interest.

No representations have been received about why those matters referred to should be considered with the public and press present.

7.	Approval to Appoint Local Authority Representative Governors	Councillor Miles (Cabinet member for Children and Lifelong Learning)	69 to 71
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WARDS AFFECTED:

All Wards

ITEM 1**DELEGATED DECISION****24 JUNE 2014****PROPOSED EXTENSION OF EXISTING CLEANING SERVICES CONTRACT**

Decision Taker: David Hill (Chief Executive)

Author: Richard Jenden, Head of Property Services Tel: (01908) 252066

Executive Summary:

On 6 August 2013 Cabinet Procurement Committee (CPC) approved the proposal to go out to tender for a new contract for cleaning services.

The route to tender has been followed and subsequent to the evaluation process of the final three bidders a number of issues arose which had the potential to adversely affect the robustness of the final selection. The issues have been resolved and the tender process taken back a stage.

Due to the timescales now required to continue the tender process an extension of the incumbents contract is needed in line with the existing contract provisions, from 30 June 2014 to 31 March 2015, to ensure that the Councils buildings remain cleaned, fit for operation under its welfare and health obligations and also to allow the incumbent contractor sufficient time to submit a tender.

The value of the existing contract is approximately £450,000 per annum and is influenced by defaults and remedies sums.

1. Recommendation

That the existing contract be extended for a nine month period until 31 March 2015 to enable the procurement of a cleaning services provider that meets the Council's requirements for the future.

2. Issues and Background

2.1 As a consequence of potential procedural irregularity identified during the evaluation process; it has been concluded (in consultation with Procurement and Legal Services) that a re-issue of the tender documents from Pre-Qualification stage is desirable and appropriate.

2.2 The issues themselves revolved around the effectiveness and appropriateness of:

The Remedies and Defaults procedures;

The TUPE information and clarity of a particular point;

An element relating to the sum of the financial bond;

The pricing a Lot 6 had not been explicit in relation to a discount.

- 2.3 Each of the issues is being addressed with Procurement, Legal and Finance so as to ensure robustness.
- 2.4 In addition, the recommendation for an external procurement consultant to provide additional support has been taken up and will ensure any further improvements to the tender documents will be incorporated.

Background

- 2.5 The current cleaning contract was awarded on the 1 April 2010 and would have expired on the 31 March 2014, subsequently the contract was extended for three months (under delegated powers) until the 30 June 2014; at that point it had been anticipated that the issues identified could be resolved within that timescale but this is not now the case.
- 2.6 The rationale for the recommended Decision route is that:
- (a) The existing extension until 30 June will have expired before the next available Cabinet procurement Committee;
 - (b) That the timeframe required in order to allow the incumbent to continue service provision with continuity of staffing means that a regular Delegated Decision will not meet the timescale;
 - (c) That the Decision is required to be taken in the interests of keeping open the Council's properties in respect of Health, Safety and staff and Public welfare and conditions.

3. Options

1. Do nothing – this is not an available option as the existing cleaning contract expires on 30 June and it is neither practical to appoint an alternative contractor or transfer staff to an alternative contractor.

Post contract expiry the services would cease the Authority would be potentially in breach of its obligations.
2. Extend the existing contract until 31st March 2015 in line with current contract provisions to enable the appropriate and robust procurement of a cleaning services provider that meets the Councils requirements for the future and incorporates recommended good practice around contract management and value for money.

4. Implications

4.1 Policy

The policy issues revolve around the expediency with which this Decision is required and is a necessary requirement to ensure cleaning continuity, health and safety and the provision of sanitary consumables and to ensure buildings are kept open.

4.2 Resources and Risk

Financial and Reputational Risk

There is no additional financial risk attributed to taking this decision but there is considerable financial risk in taking any other option.

There is reputational risk to the Council in not extending the existing contract, as per 4.1 above.

There is a risk of challenge under the existing procurement process but this has been reviewed by Procurement and Legal Services and the risk accepted by AD Public Access.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

This section is not applicable.

4.4 Legal

Legal and Procurement have confirmed and agreed the recommended option

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: None

WESTCROFT RESERVE SITE DEVELOPMENT BRIEF

Decision Taker: Councillor Legg (Cabinet member for Public Realm)

Author: Neil Sainsbury, Head of Urban Design and Landscape Architecture,
Tel: (01908) 252708

Executive Summary:

This report seeks authorisation to undertake formal consultation on the Draft Westcroft Reserve Site Development Brief for an 8 week period between July and September 2014.

1. Recommendation(s)

- 1.1 That the draft Westcroft Reserve Site Development Brief (as at the attached Annex) be approved for an 8 week consultation period between July and September 2014.

2. Issues

- 2.1 The Milton Keynes Development Partnership (MKDP) agreement requires MKDP to seek approval from MKC Cabinet for Development Briefs before marketing / selling any of the sites under its control.
- 2.2 Development Briefs are the key documents outlining MKC and local stakeholder aspirations and expectations for the site and will therefore have a key role influencing what a site is eventually developed for.
- 2.3 The purpose of this Brief is to provide strategic planning and design guidance appropriate for the development of this site in Westcroft.
- 2.3 The draft Brief has been informed by relevant stakeholder aspirations for the site, a desk top analysis of the site and a resulting understanding of the strengths, weaknesses, opportunities and threats as well as an understanding and interpretation of the existing planning policy position. This together has informed a set of principles that will act as guidance and inform detailed proposals for the site.
- 2.4 The draft Brief outlines the 1.81 acre (0.73ha) site being allocated as a Reserve Site in the Council's adopted Local Plan. "Reserve Sites" is the term used to describe small sites in residential housing areas that are left undeveloped to accommodate unforeseen local needs. There is a range of uses to which these sites can be put e.g. private housing, social housing, sheltered housing (generally for the elderly in a managed way), specialist housing, hostels, meeting places, health centres, dental surgeries, workshops, places of worship and local shops. The Local Plan has not identified a proposed use for this specific site but many of the above uses are identified as suitable.

- 2.5 The Council have expressed the need for an Extra Care Facility for older people with Dementia and this is a use that could potentially be accommodated on the site in addition to a small amount of family housing for sale. These uses would accord with current Planning Policy.
- 2.6 The site is largely featureless, being covered by maintained grassland although it does have quite a significant slope towards its southern corner where Cranborne Avenue passes beneath the V1 (Snelshall Street). While the site is served by an existing bell-mouth off Cranborne Avenue it is surrounded on 3 of its 4 sides by 2-3 storey residential development. New development will therefore need to be sensitive to the proximity and context of existing residential properties. It should therefore, for example, be predominantly 2 storeys in height.

Consultation

- 2.7 The process of preparing the draft Development Brief has involved consulting with Cabinet, local ward members, cross party Planning Spokespersons, Shenley Brook End and Tattenhoe Parish Council and MKC Planning Officers as per the adopted protocol for preparing Briefs.
- 2.7.1 In terms of initial views sought particularly on stakeholder aspirations for the site, Shenley Brook End and Tattenhoe Parish Council did indicate that they would support the inclusion of an extra care facility for Dementia patients but also said the site should accommodate a Doctors Surgery and / or a Community Meeting Hall where there is an indicated shortage within the Parish Area. They also suggested that because of the convoluted access to the site by car that Cranborne Avenue should be opened to traffic under Snelshall Street.
- 2.7.2 No further comments were received at this stage of the preparation of the Brief
- 2.8 Formal consultation will be undertaken in accordance with the Council's Statement of Community Involvement. It will take place for an 8 week period between July and September 2014. Consultation will involve:
- Copies of Development Brief displayed in the CMK and Westcroft Libraries as well as at the Council Civic Offices
 - Document published on Council's website, in the Members Weekly News, Council's Consultation Finder and the Staff Tuesday Bulletin
 - Copies/weblinks of Draft Development Brief sent to Cabinet Members, the three Party Planning Spokespersons, Tattenhoe Ward Councillors, Shenley Brook End Parish Council as well as adjacent residential landowners abutting the site,
 - Presentations (if requested) to Shenley Brook End and Tattenhoe Parish Council,
 - Briefings (if requested) with ward members and councillors
 - Seeking comment / views from Development Control Committee
 - The draft Development Brief will also be shared with any developers who express an interest in redeveloping the site

3. Options

- 3.1 The “do nothing option” is to not undertake formal consultation on the Draft Development Brief. This is not an option as it contravenes the Milton Keynes Development Partnership (MKDP) agreement which requires MKDP to seek approval from MKC Cabinet for Development Briefs before marketing / selling any of the sites under its control
- 3.2 The preferred option is to gain authorisation to undertake a period of formal consultation so that the Development Brief can be made available publicly for stakeholders and the local community to comment on, with a view to preparing a final Brief that reflects, where appropriate, stakeholder and community comments.

4. Implications

4.1 Policy

The draft Development Brief has been written to accord with NPPF, Core Strategy and Local Plan policies. It also supports the Corporate Plan themes of “Living in MK”, and “Cleaner, Greener, Safer and Healthier MK”

The Development Brief has furthermore been prepared in accordance with an adopted protocol for preparing development briefs for all sites in Milton Keynes.

It is not a Key Council Document, nor is it a Development Plan Document.

4.2 Resources and Risk

It is anticipated that the consultation process will be undertaken from within existing resources.

There are no known risks associated with the proposed consultation.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

There are no known carbon and energy management implications associated with the proposed consultation.

4.4 Legal

Development Briefs prepared and approved by the local planning authority are a legitimate tool to inform developers and other interested parties of the opportunities and restrictions of a site in planning terms. While it is possible to approve a development brief as a supplementary planning document, this is not the case here and there is therefore no need to examine whether or not the document has complied with the regulations governing the adoption of supplementary planning document. Nevertheless an approved development

brief is capable of carrying weight in a planning determination and the extent to which it does is a question for the decision maker.

Once approved the Development Brief will be a material consideration in determining any forthcoming planning applications.

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

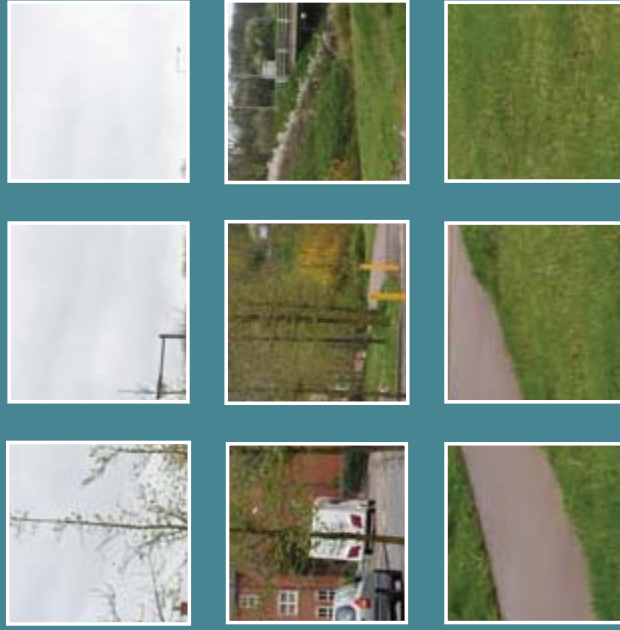
E-Government: The Development Brief will be made available on the Council website.

Stakeholders: Consultation with a wide range of stakeholders will be undertaken in accordance with statutory requirements and the MKC Statement of Community Involvement.

Annex: Draft Westcroft Reserve Site Development Brief

Westcroft Reserve Site 3 Development Brief

CONSULTATION DRAFT



www.milton-keynes.gov.uk/udla



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Contents

SECTION 1	INTRODUCTION	SECTION 3	CONTEXTUAL ANALYSIS	SECTION 5	PLANNING AND DESIGN PRINCIPLES
1.1	Introduction	3.1	Introduction	5.1	Introduction
1.2	Purpose of Development Brief	3.2	Surrounding Area	5.2	Layout
1.3	Location, Site Details and Land Ownership	3.3	Site Analysis	5.3	Key Frontages and Corners
1.4	Structure of Brief	3.4	Existing Access	5.4	Density and Building Heights
1.5	Other Information	3.5	Summary Opportunities and Challenges	5.5	Detailed Design Appearance
				5.6	Sustainable Construction and Energy Efficiency
				5.7	Access, Movement and Parking
				5.8	Public Realm and Landscaping
SECTION 2	POLICY CONTEXT	SECTION 4	DEVELOPMENT PROPOSALS		
2.1	Policy Context	4.1	Development Proposals		

SECTION 1

INTRODUCTION

1.1	Introduction	pg05
1.2	Purpose of Development Brief	pg06
1.3	Location, Site Details and Land Ownership	pg07
1.4	Structure of Brief	pg08
1.5	Other Information	pg09

- 1.1 Introduction**
- 1.1.1 This Development Brief concerns an allocated Reserve Site on the western edge of Westcroft adjacent to Snelshall Street (see fig 1).
- 1.1.2 Milton Keynes Council and Milton Keynes Development Partnership (MKDP*) have high aspirations that development of this site can help deliver the Council's corporate aims concerning the delivery of housing that meets individual needs.

Vision Statement:

"To create a high quality development that helps meet housing needs across Milton Keynes and potentially any shortfall in local community facility provision and which respects the setting of adjacent development"



Figure 1: Site Area

1.2 Purpose of Development Brief

1.2.1 The purpose of this Brief is to provide strategic planning and design guidance appropriate for the development of this site in Westcroft. This will aid the development process, by allowing developers to submit informed proposals that respond to the landowner, Council and other local stakeholder aspirations / expectations for the site.

1.2.2 The content of the Brief has been prepared to help deliver the Council's Corporate Plan Themes and Outcomes as well as the Core Strategy.

1.2.3 The consultation process associated with the preparation of this development brief is intended to give all interested parties full opportunities to set out their aspirations for the site and/or to identify constraints that need to be accommodated

1.2.3 The Development Brief has been prepared to accord with current Planning Policy – a key

aim though is to contextualise the policy for the site covered by the Brief. The Brief cannot formally change current policy, however there may be material considerations that suggest variations of current policy may be appropriate. Where this is the case, the Brief will state what they are and what the preferred use and / or variation in policy is. This will be weighed against the current policy when determining a planning application for the site.

1.2.4 Once approved by Milton Keynes Council Cabinet, the guidance contained within the Brief will be a material consideration in helping determine planning applications for the site concerned.

**MKDP is a limited liability partnership set up by Milton Keynes Council to facilitate Milton Keynes' continued growth and economic success by promoting the development of land assets transferred to the council from the Homes and Communities Agency, in line with the council's Corporate Plan and Economic Development Strategy. MKDP take*

a commercial and entrepreneurial approach to sell and develop these assets with third party developers and investors, whilst ensuring full community and stakeholder engagement in the preparation of development briefs for the sites.

It is a requirement on the MKDP that an adopted Development Brief must be in place before they commence marketing or developing any of their larger sites. This is intended to enable the Council, following consultation with all interested parties, to set clear expectations for the nature of any future development on the site; but also to assist the MKDP in marketing the site and to give potential bidders/development partners a degree of confidence about the parameters within which they should develop their proposals.

1.3 Location, Site Details and Land Ownership

- 1.3.1 This 1.81 acre (0.73ha) site is situated toward the west flank of Milton Keynes on the eastern edge of the residential estate of Westcroft facing the V1 Grid Road (Snelshall Street).
- 1.3.2 The site is located within 0.5km of Westcroft District Centre and 5km from Central Milton Keynes.
- 1.3.4 The entire site is within the ownership of MKDP.

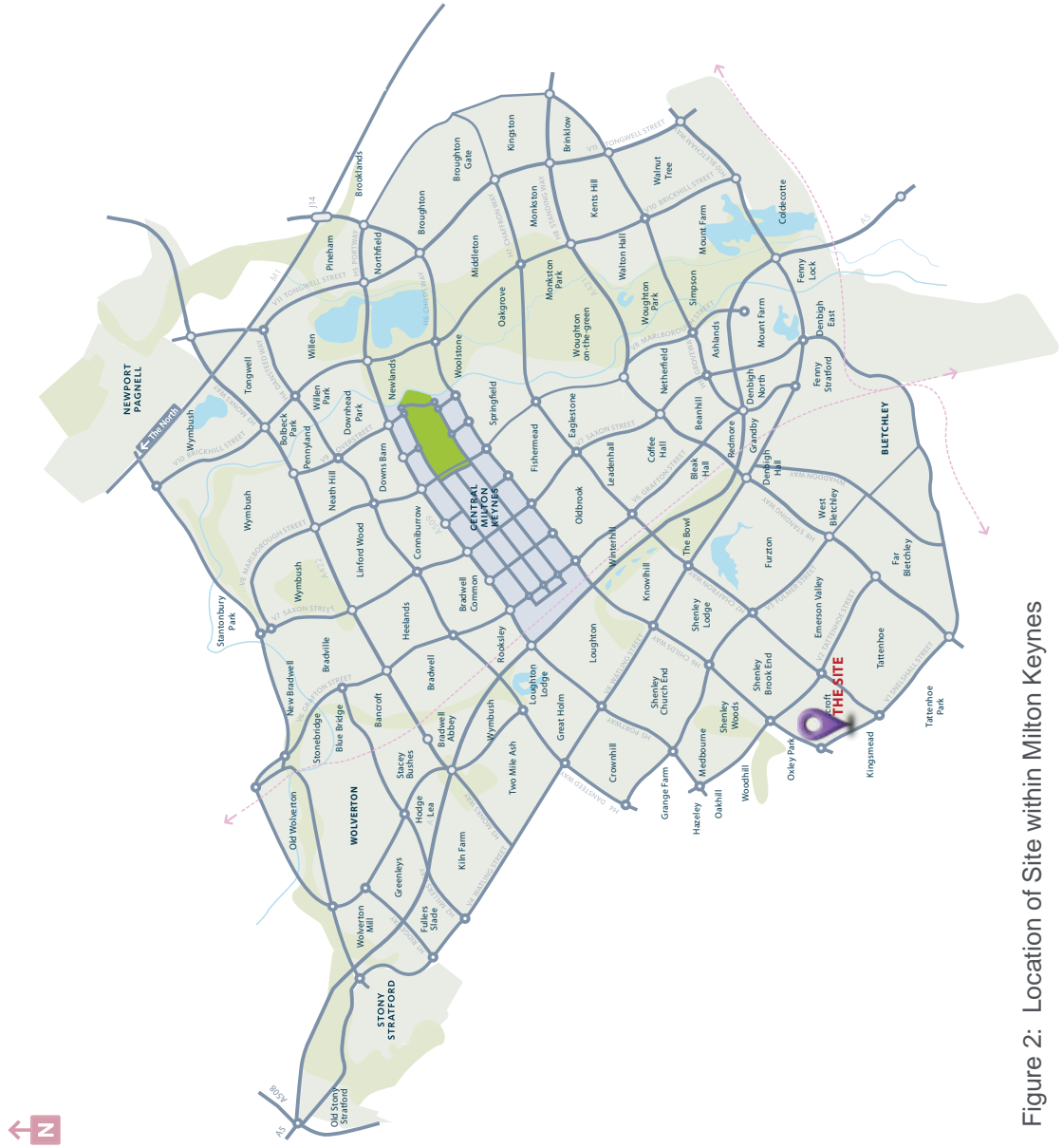


Figure 2: Location of Site within Milton Keynes

1.4 Structure of the Development Brief

The Brief is divided into five sections:

Section 1 outlines the purpose of the brief, its location and ownership and other related information for developers.

Section 2 describes the planning policy context for the site.

Section 3 provides a site analysis of the site itself and the surrounding area. A thorough understanding of this will have an important bearing on the potential land uses, key design principles and parameters.

Section 4 outlines what the Brief is seeking to deliver in terms of land uses.

Section 5 represents the Key Planning and Design Principles, that should inform any development proposals. The accompanying Parameters Plan spatially illustrates the design principles.



Figure 3: Aerial photo of site

1.5 Other Information

- 1.5.1 Once adopted the development brief will be followed and supported by a marketing brief prepared by MKDP which will outline pertinent information where appropriate regarding title, any existing leasehold arrangements, rights of access, restrictive covenants and clawback arrangements.
- 1.5.2 The marketing brief is also intended to set out additional MKDP aspirations for sustainability / energy standards, design and mix of uses and tenures, phasing of development, together with more detail on MKDP preferred route to the market and selection criteria.

SECTION 2

POLICY CONTEXT

2.1 Policy Context

pg11

2.1 Policy Context

2.1.1 Any proposals for the site should be informed by and will be expected to support the delivery of the Milton Keynes Council Corporate Plan and comply with the following national and local planning policy.

- site:
- Delivering a wide choice of high quality homes
 - Requiring good design
 - Promoting healthy communities

2.1.5 “Reserve Sites” is the term used to describe small sites in residential housing areas that are left undeveloped to accommodate unforeseen local needs. There is a range of uses to which these sites can be put eg private housing, social housing, sheltered housing (generally for the elderly in a managed way), specialist housing, hostels, meeting places, health centres, dental surgeries, workshops, places of worship and local shops. The Local Plan has not identified a proposed use for this specific site but many of the above uses are identified as suitable.

Milton Keynes Council Corporate Plan

2.1.2 This Brief will in particular will support the Themes of “Living in MK” and “Cleaner, Greener, Safer, Healthier MK”.

Milton Keynes Core Strategy

2.1.3 The following are the key policies within the adopted Core Strategy which all proposals would need to adhere to:

National Planning Policy Framework (NPPF)

2.1.2 The National Planning Policy Framework (NPPF) was adopted in March 2012 and sets out in a concise document, Government policy on planning and achieving sustainable development. Paragraph 7 sets out that there are three dimensions to sustainable development; economic, social and environmental, which the planning system and hence developments should contribute towards the achievement of.

- Policy CS2 Housing Land Supply
- Policy CS10 Housing
- Policy CS11 A well connected Milton Keynes
- Policy CS12 Developing Successful Neighbourhoods
- Policy CS13 Ensuring High Quality, New Designed Places
- Policy CS17 Improving access to local services and facilities
- Policy CS18 Healthier and Safer Communities

Milton Keynes Local Plan

2.1.2 The following sections of the NPPF are of particular relevance to the development of this

- 2.1.4 The site is allocated in the Local Plan as a Reserve Site (Policy C9 applies).

2.1.6 Development of any of the above uses would need to consider the following further policies:

Design Policies

- D1 Impact of Development Proposals on Locality
- D2A Urban Design Aspects of New Development
- D2 Design of Buildings
- D4 Sustainable Construction

Transport Policies

- T3, T4 Pedestrians and Cyclists

Housing Policies

- H3-H5 Affordable Housing
- H8 Housing Density
- H9 Housing Mix

Planning Obligations

- PO1, PO2 General Policies
- PO4 Percent for Art

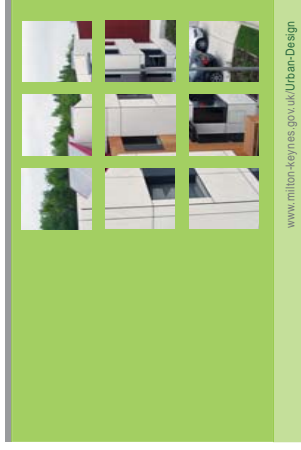
Summary of Planning Policy Position

- 2.1.9 There is an expectation that the site will be developed. It is allocated in the Local Plan as a Reserve Site and therefore it was intended to be left undeveloped to accommodate unforeseen local needs which are now in existence.



New Residential Development
Design Guide

Supplementary Planning Document
Adopted April 2012



www.milton-keynes.gov.uk/Urban-Design

Supplementary Planning Documents

- 2.1.7 The following Supplementary Planning Documents (SPDs) should be considered when preparing any planning application for the site.

- New Residential Development Design Guide (2013)
- Affordable Housing (2013)
- Sustainable Construction (2007)

- A suite of Supplementary Planning Documents and Guidance Notes relating to Developer Contributions

SECTION 3

CONTEXTUAL ANALYSIS

3.1	Introduction	pg15
3.2	Surrounding Area	pg15
3.3	Site Analysis	pg17
3.4	Existing Access	pg17
3.5	Summary: Opportunities and Challenges	pg18

3.1 Introduction

3.1.1 It is important to have a full understanding of the existing site and surrounding area as this helps inform and underpin the opportunities, potential land uses, design principles and associated parameters plan.

3.2 Surrounding Area (Fig 3 and 4)

3.2.1 Figure 3 highlights within a 400m and 1km catchment of the site existing and proposed local facilities. These are important to identify and be aware of as the allocation of a

Reserve site allows for local facilities to be proposed so the existing supply serving the surrounding area needs to be known.

3.2.2 The site is closely surrounded by 2 to 3 storey predominantly family housing on 3 of its 4 sides. All this housing fronts onto the site. The south western edge of the site has an open aspect facing onto the grid road corridor associated with Snelshall Street (V1).

3.2.3 The established residential estate of Kingsmead North lies to the west of the site across Snelshall Street while to the south of the site Kingsmead South will shortly be developed for predominantly housing.



Housing facing the northern edge of the site with private drive and redway to the front



Housing facing the site along the north west edge of the site



Housing facing the eastern edge of the site along Cranborne Avenue. The slope of the site is evident



Looking across the grass site towards Snelshall Street. The site slopes down toward the southern corner.

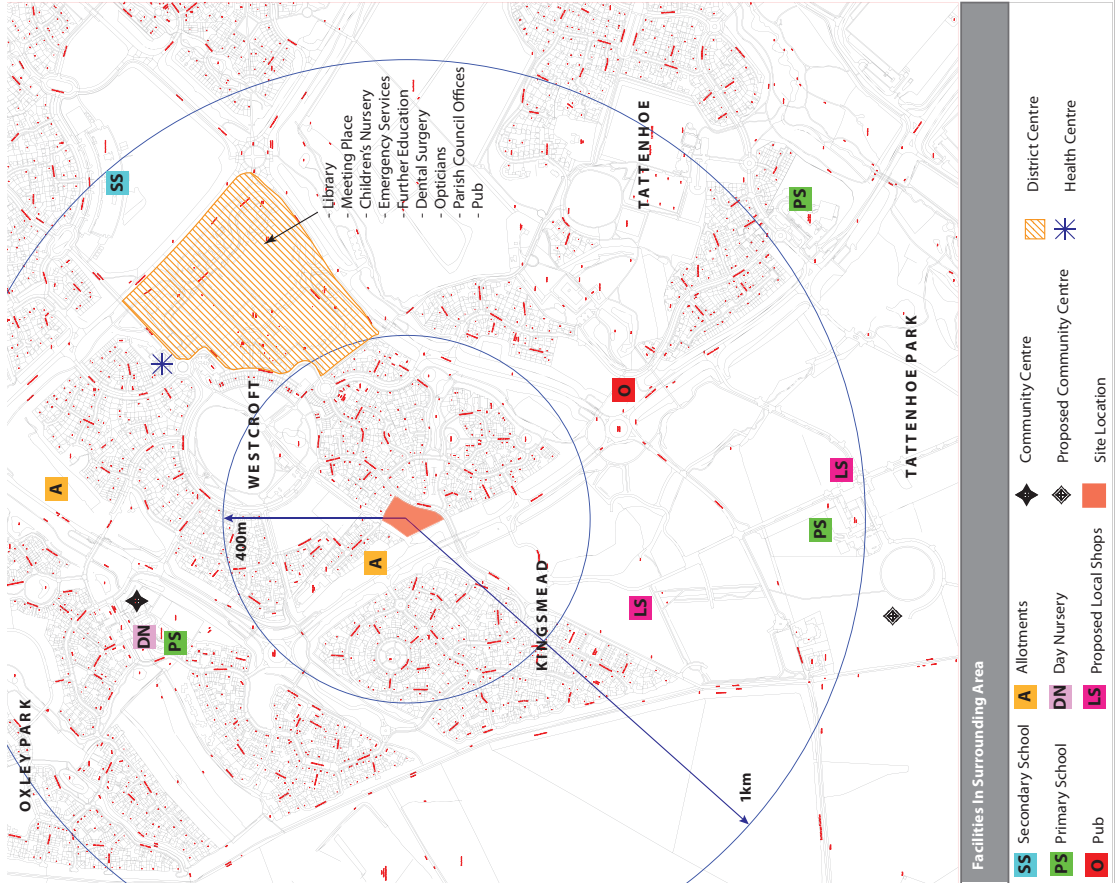


Figure 4: Facilities in the Surrounding Area

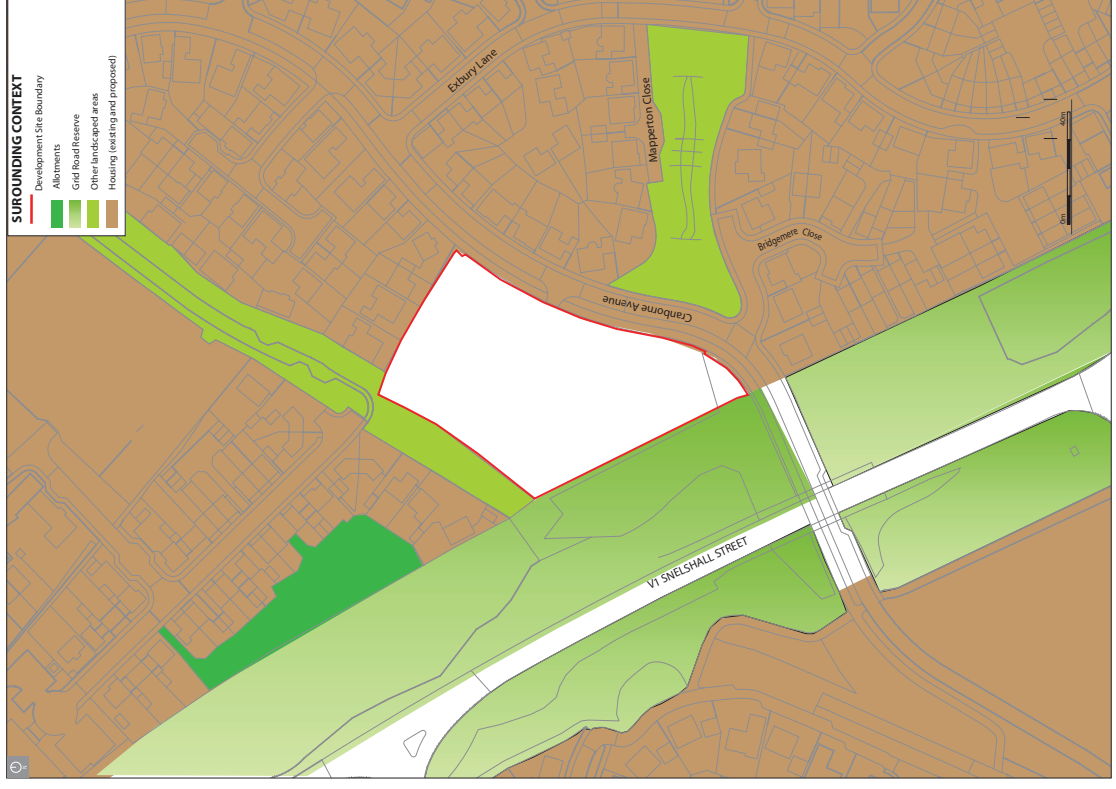


Figure 5: Land Uses in the Surrounding Area

3.3 Site Analysis

- 3.3.1 The site itself comprises maintained grassland and is featureless.
- 3.3.2 While the site is fairly flat on the north eastern half the south western half slopes quite steeply down to the southern corner where Cranborne Avenue passes under Snelshall Street.
- 3.3.3 A line of small trees within a shallow ditch forms the north western boundary to the site
- 3.3.4 There are no known constraints to the site
- 3.3.5 The site's eastern edge is Cranborne Avenue which will provide vehicular access to the site.
- 3.3.6 The northern edge of the site is bordered by a redway which is adjacent to a private drive



Cranborne Avenue along the eastern edge of the site, with redway. Underpass to Snelshall Street evident as is slope to

serving 4 houses.

- 3.3.7 A narrow grass strip of approximately 8m separates the north western edge of the site from a private drive serving 4 houses facing the site.

3.4 Existing Access (Fig 6)

- 3.4.1 Although the site is adjacent to Snelshall Street it has a convoluted vehicular access not least because Cranborne Avenue is currently blocked off where it passes underneath Snelshall Street.
- 3.4.2 Cranborne Avenue provides the vehicular



Existing bell-mouth to site off Cranborne Avenue

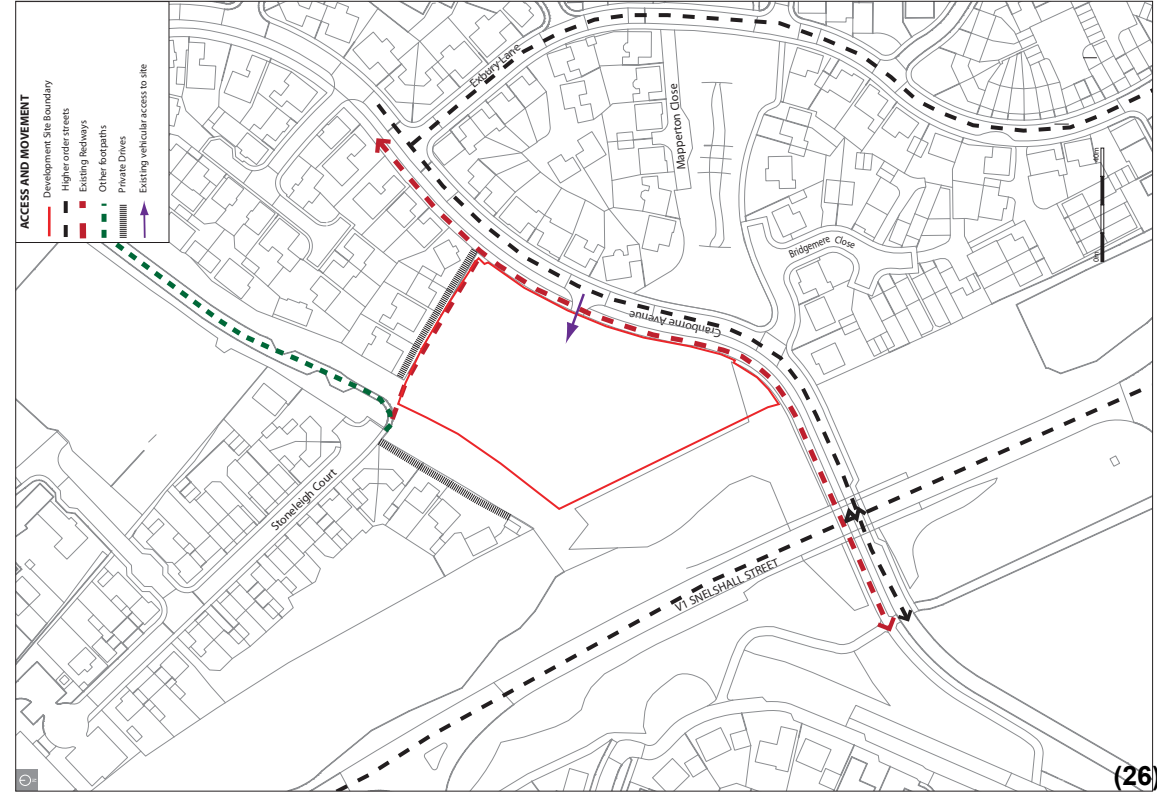
access to the site with an existing bell-mouth in place to access the site itself.

3.4.3 The site is however well served by pedestrian access with a redway along the eastern and northern edges of the site. There is also an additional pedestrian route connecting the most northern point of the site with the playing fields to the north.

- 3.4.4 The closest bus stops, with frequent services are at Westcroft District Centre as well as close to Kingsmead and Whitney Roundabouts all which are within approximately 500m of the site.



Cranborne Avenue looking away from the site



3.5 Summary Opportunities and Challenges (Fig 7)

Opportunities

- 3.5.1 The site is allocated in the Local Plan for development and there is an expectation that it will be developed
- 3.5.2 Milton Keynes requires new housing and in particular to meet certain sectors of the population and the planning policy position permits the site from delivering this
- 3.5.3 There are no known ecological constraints
- 3.5.4 Existing access arrangements are already in existence
- 3.5.5 Potential to make the site more accessible by opening up Cranborne Avenue beneath Snelshall Street

Constraints / Challenges

- 3.5.6 Vehicular noise from the adjacent Snelshall Street
- 3.5.7 Sloping nature of southern part of the site
- 3.5.8 The shape of the site and in particular the corner in the southern end of the site

Figure 6:
Existing Access and Movement Plan

3.5.9 The close proximity of existing housing and therefore the need for new development to protect the privacy and amenity of existing residents



Figure 7: Opportunities and Constraints Plan

SECTION 4 DEVELOPMENT PROPOSALS

4.1 Development Proposals

pg21

4.1 Development Proposals

- 4.1.1 The planning policy context as outlined in Section 3 states that the site is suitable for a variety of uses that were unforeseen when Westcroft was being planned.
- 4.1.1.3 Milton Keynes Council have now indicated that the site would be suitable for meeting its housing needs including for example an extra care facility for elderly people with Dementia. This may only take up a portion of the site and other housing or community facilities maybe suitable on the remainder of the site. These uses would help meet the Corporate Plan Themes of “Living in MK” and a “Cleaner, Greener, Safer, Healthier MK” in particular through meeting the outcome of “Fit for purpose housing that meets individual needs”.
- 4.1.1.4 Shenley Brook End and Tattenhoe Parish Council indicated that a part of the site could also be used for a Community Centre to help fulfil the lack of provision in adjacent Kingsmead North and the proposed Kingsmead South.
- 4.1.1.5 There is no existing bund along Snelshall Street. It is likely therefore that appropriate noise mitigation measures will need to be included in the design and construction of new housing closest to this road.

SECTION 5

PLANNING AND DESIGN PRINCIPLES

5.1	Introduction	pg23
5.2	Layout	pg23
5.3	Key Frontages and Corners	pg23
5.4	Density and Building Heights	pg23
5.5	Detailed Design Appearance	pg23
5.6	Sustainable Construction and Energy Efficiency	pg25
5.7	Access and Movement Parking	pg25
5.9	Public Realm and Landscaping	pg25

5.1 Introduction

- 5.1.1 Proposals for the site should be informed by the following principles. These principles have been informed by the existing planning policy position, the contextual analysis as well as the constraints/challenges and opportunities facing the site.
- 5.1.2 Where relevant, the principles are spatially represented by the accompanying Parameters Plan (see figure 8).

5.2 Layout

- 5.2.1 While development doesn't necessarily need to follow the 'perimeter block' approach, it is essential that there is a clear distinction / separation between public and private space so that all publicly accessible parts of the development are fronted by active frontages (or at the very minimum are not fronted by blank frontages where there is no visual connectivity between occupants inside the building and those outside in the public realm) and private areas are inaccessible to the public. The layout should not result in ambiguous space that is not clearly public or

private (such as alleyways or other 'leftover space').

- 5.2.2 The layout of the development should be legible to enable easy wayfinding and ease of movement.

- 5.2.3 The small size of the site coupled with the size of the potential extra care facility suggests that the site will not need to be subdivided by further streets. If it however is, it needs to follow the perimeter block principles outlined in para 5.2.1.

5.3 Key Frontages and Corners

- 5.3.1 Three of the sites 4 sides face the fronts of existing housing. Best practice suggests fronts of housing should not face the backs of housing (and back gardens). The eastern, northern and north west frontage are all therefore important frontages and should face to open onto these sides.
- 5.3.2 The south western side however faces Snelshall Street and this offers the best opportunity to place the backs of development and any other elements that would be more intrusive if facing the public realm.

- 5.3.2 The north east and most southern corner are the most prominent corners of the site and should therefore have an appropriate design response to reflect their prominent position.

5.4 Density and Building Heights

- 5.4.1 The density of development should reflect that of the surrounding area and therefore densities of approximately 35du/ha would be appropriate.
- 5.4.2 Building heights should reflect that of the surrounding area and therefore predominantly 2 storey development would be appropriate.

5.5 Detailed Design Appearance

- 5.5.1 The architectural approach to development should be informed by the contextual analysis and in this case the surrounding built form in particular because of its proximity to the site. This indicates that a development of good quality buff and red brick would be appropriate.

- 5.5.2 All buildings should be of exceptional design quality, should enhance their surroundings and be constructed from high quality, durable materials.
- 5.5.3 Any social / affordable housing provided must be indistinguishable from market housing (ie 'tenure blind')

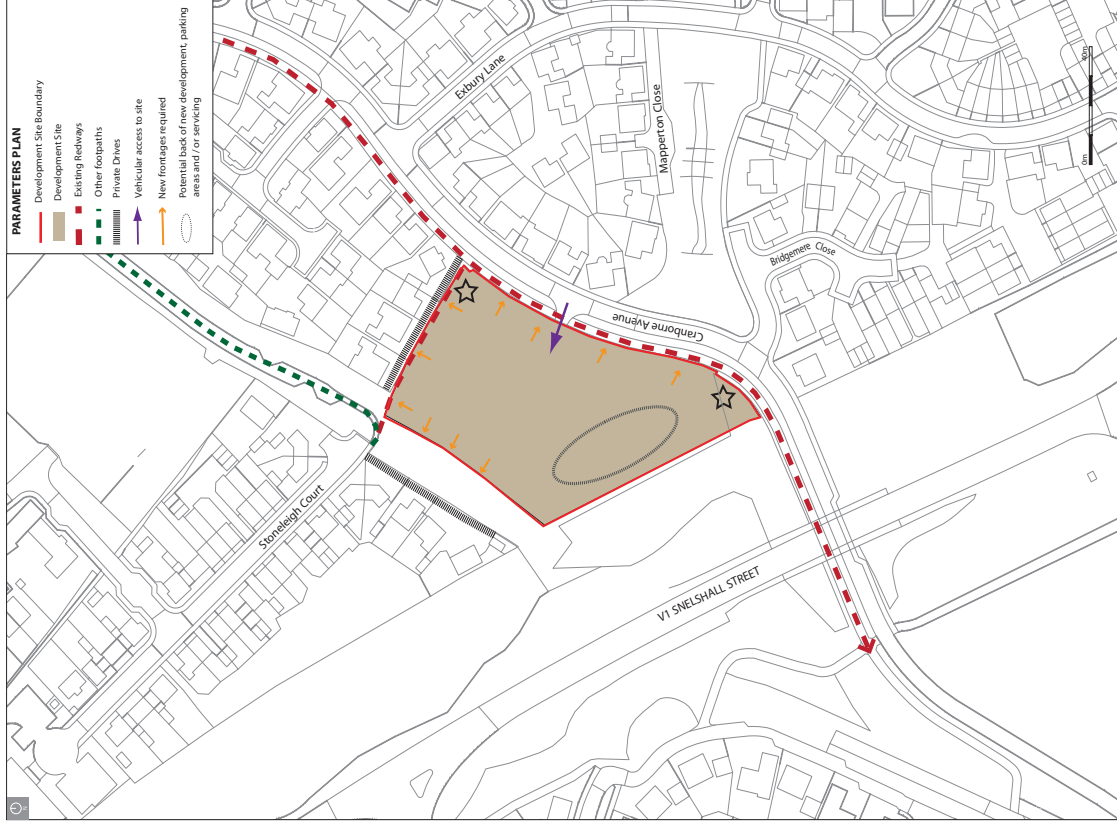


Figure 8: Parameters Plan

5.6 Sustainable Construction and Energy Efficiency

5.6.1 The Council's Local Plan Policy D4 and its supplementary Sustainable Construction SPD furthermore sets sustainability standards that will have to be considered as part of the overall design process.

5.7 Access, Movement and Parking

5.7.1 Cranborne Avenue which runs along the eastern edge of the site will provide vehicular access to the site. An existing bell-mouth already exists to provide access to the site itself.

5.7.2 In order to better integrate the site into the surrounding area, Cranborne Avenue should be opened up underneath Snelshall Street where it is currently blocked off. This would also allow construction traffic to not have to pass through the existing narrow residential streets of Westcroft.

5.7.3 If any other vehicular access points are deemed necessary off Cranborne Avenue this should be discussed at an early stage with the Council's Development Management Highway

Officer. of the site must be underpinned by an overall landscaping masterplan that delivers high quality landscaping to the development.

5.7.4 The existing redway and pedestrian network around the site will be retained providing good pedestrian and cycle links to neighbouring areas and Westcroft District Centre

5.7.5 It is not expected that any other public pedestrian routes will be needed to cross the site.

5.7.6 Car parking will normally be provided in accordance with Milton Keynes Council's current Parking Standards.

5.7.7 It is anticipated that a range of parking solutions will be required to support the development. The key principle however is that parking be located as conveniently as possible for all residents. Given the proximity to the noisy Snelshall Street, consideration should be given to locating any large areas of parking or servicing to the rear of the development adjacent to Snelhall Street.

5.8 Public Realm and Landscaping

5.8.1 There is no existing landscaping on site that requires retention.

5.8.2 Landscaping is however a unique selling point of MK and therefore the development

Urban Design & Landscape Architecture

Planning & Strategic Transport

Milton Keynes Council

PO Box 113, Civic Offices

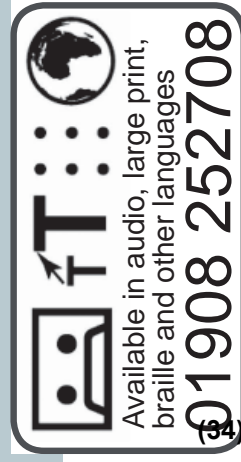
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Wards Affected:

Stantonbury, Campbell Park and Old Woughton, Central Milton Keynes, Newport Pagnell South, Newport Pagnell North and Hanslope, Bradwell, Wolverton, Broughton.

ITEM 3**DELEGATED DECISION****24 JUNE 2014****GREAT LINFORD NEIGHBOURHOOD AREA APPLICATIONS**

Decision Taker: Councillor Legg (Cabinet member for Public Realm)

Author: James Williamson, Planning Officer, Tel: (01908) 254231

Executive Summary:

In February 2013 a Neighbourhood Area was designated covering the entire Parish of Great Linford. Following an initial consultation period on their emerging Neighbourhood Plan, Great Linford Parish Council have reviewed the area which was designated and in accordance with the Neighbourhood Planning Regulations 2012, have now submitted applications to designate two Neighbourhood Plan areas for the Parish of Great Linford which modify and supercede the existing designated area.

The two new proposed areas were advertised for six weeks public consultation between 19 February and 2 April 2014. One response was received and considered by the Parish Council and Neighbourhood Plan Steering Committee.

This report recommends that the two proposed Neighbourhood Areas are approved as originally submitted as a modification and replacement to the existing designation made in February 2013.

1. Recommendation

1.1 That the two Neighbourhood Area applications for the Parish of Great Linford, as shown in Figures 1 and 2 of Annex A, be approved in accordance with Section 61G of the Town and Country Planning Act, 1990 (as amended) as a modification and replacement to the existing designation made in February 2013.

2. Issues

2.1 In February 2013, a Neighbourhood Area was designated for the Parish of Great Linford, covering the entire parish area. Following an initial review and consultation on the issues to be considered as part of the Neighbourhood Plan, Great Linford Parish Council felt that the Neighbourhood Planning process could be carried out more effectively if the Parish was divided into two distinct areas with separate plans produced for each.

2.2 Great Linford Parish Council have therefore applied to Milton Keynes Council, in accordance with the Neighbourhood Planning (General) Regulations 2012, to designate two new Great Linford Neighbourhood Plan Areas which will jointly cover the entire Parish area and will supercede that which was

designated in February 2013. The two areas are shown in Annex A. The applications were made in accordance with Regulation 5 of the Neighbourhood Planning Regulations 2012, which requires a Parish Council submitting an area application to include:

- a map which shows the area to be designated;
- a statement explaining why the Parish Council considers the area to be appropriate for designation; and
- confirmation that the Parish Council concerned is the relevant body for the purpose of neighbourhood planning for that area.

2.3 In accordance with Regulation 6 of those regulations, Milton Keynes Council published the area applications, and held a six week public consultation period between 19 February and 2 April 2014. The applications were advertised in the MK News, on the Council's website, and through information circulated to all Members and Town and Parish Councils.

2.4 One response was received to the two Great Linford Parish Neighbourhood Area applications. The response, from a local resident and representative of a local cycling organisation, raised concerns with the proposal to split the Parish into two Neighbourhood Areas, and made recommendations that it remain as a whole. These comments are outlined in Annex B.

2.5 The consultation response has been considered by Milton Keynes Council officers, and by Great Linford Parish Council and the Neighbourhood Plan Steering Committee. Comments from these organisations are included in Annex B to address the concerns raised in the consultation response.

2.6 Having regard to the response received and the comments made to address these points, it is therefore considered that it is appropriate to designate two Neighbourhood Plan Areas to cover the Parish area of Great Linford as proposed by the Parish Council as shown in Figures 1 and 2, Annex A. These new designations will replace the existing designation made in February 2013 and are made in accordance with Section 61G(6) of the Town and Country Planning Act 1990 (as amended). This conclusion has been supported by Great Linford Parish Council and the Neighbourhood Plan Steering Committee.

3. **Options**

3.1 Once a Neighbourhood Area application is submitted, the 2012 Regulations require the Council to come to a view on it and publicise that decision. This report recommends that the two areas proposed by the Parish Council are approved as Neighbourhood Areas. However, if it is considered that this recommendation is not appropriate, the Neighbourhood Area applications could be refused. Great Linford Parish Council and the Neighbourhood Plan Steering Committee could then choose to submit further revised applications to Milton Keynes Council which will then be subject to further advertisement and consultation, or alternatively they may continue with a Neighbourhood Plan for the area which was designated in February 2013.

4. Implications

4.1 Policy

The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than set out in the Local Plan or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the adopted Milton Keynes Local Plan and the emerging Core Strategy.

Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'adopted' by the local planning authority, forms part of the authority's Development Plan and is a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted carries more weight than a Supplementary Planning Document.

4.2 Resources and Risk

The Localism Act and the 2012 Regulations place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have implications for staff resources as the Council has a duty to support Parish Councils wishing to undertake Neighbourhood Planning. Staff resources to support Neighbourhood Planning will come from the existing staff within the Development Plans team. Decisions on any significant resource issues for the Council as a result of officer involvement in Neighbourhood Planning will be taken separately, as necessary.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

The proposal does not impact on carbon and energy management

4.4 Legal

Neighbourhood planning is part of the Government's initiative to empower local communities to take forward planning proposals at a local level as outlined in Section 116 of the Localism Act, 2011. The Localism Act, the Town and Country Planning Act 1990 (as amended) and the subsequent 2012 Neighbourhood Planning Regulations confer specific functions on local planning authorities in relation to neighbourhood planning.

At its meeting of 25 July 2012, Cabinet agreed the decisions in the Neighbourhood Planning process that would be delegated to the Cabinet

Member responsible for Strategic Planning. This scheme of delegation included the decision of whether to accept and designate a Neighbourhood Area, as is recommended in this report.

4.5 Other Implications

Stakeholders:

The proposed Neighbourhood Area applications has been the subject of consultation for six weeks and the views of stakeholders are reported in this report and set out in Annex B.

Consultation and involvement of stakeholders is an important part of the neighbourhood planning process and will ultimately be tested by a single issue referendum at the end of the process.

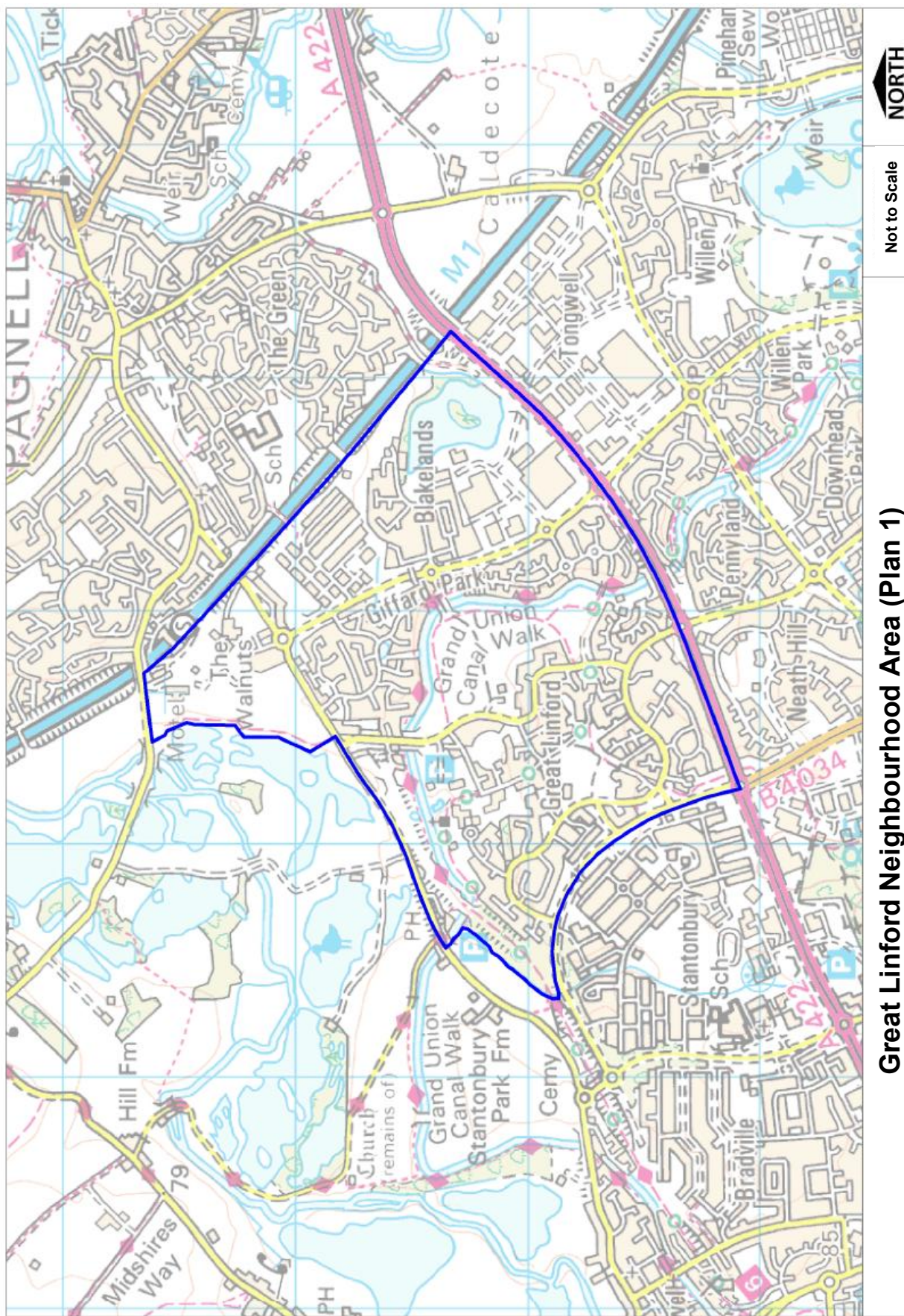
N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Annex A: Figure 1: Great Linford Neighbourhood Area (Plan 1)

Figure 2: Great Linford Neighbourhood Area (Plan 2)

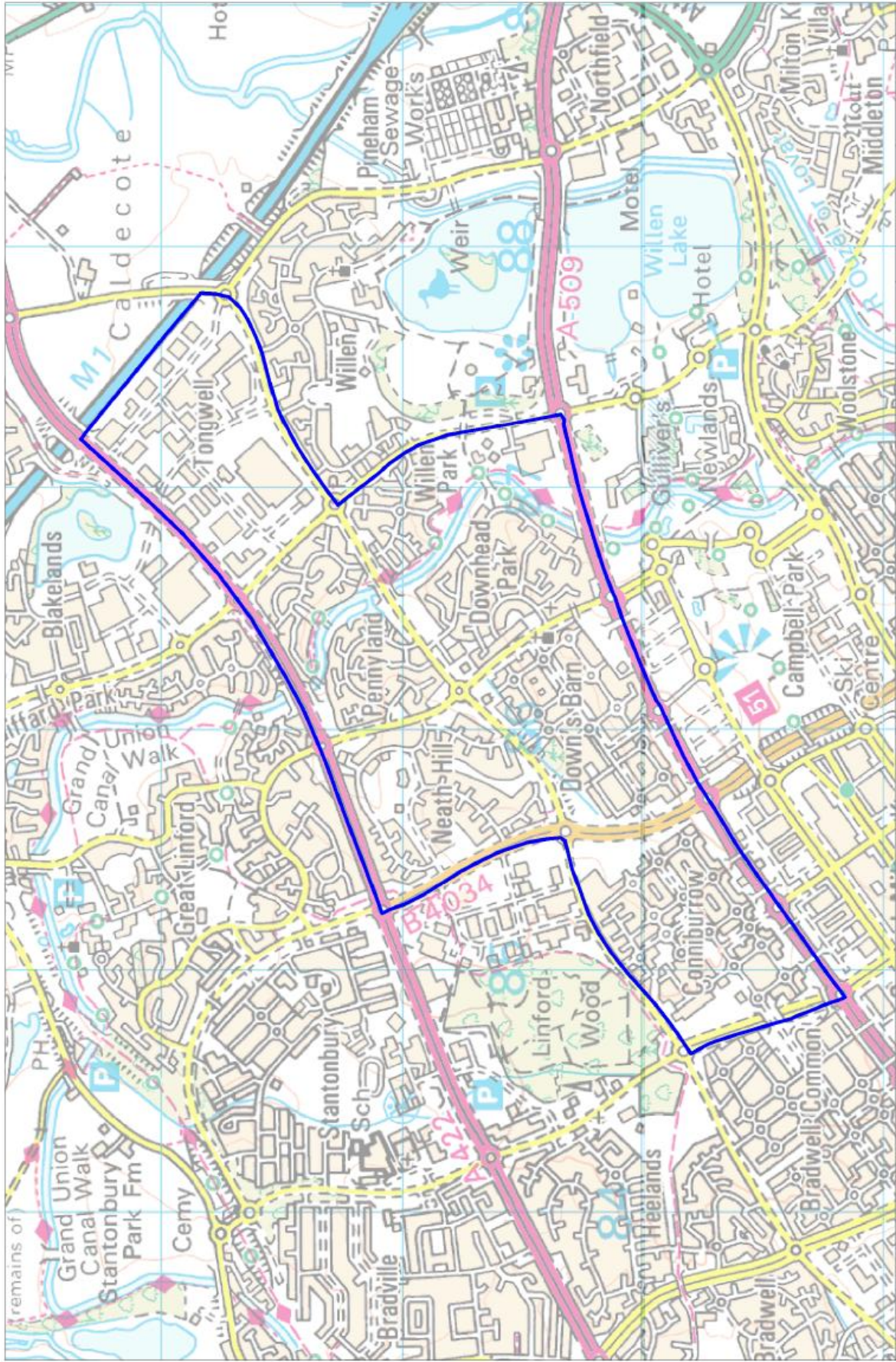
Annex B: Table of consultation responses to the Great Linford Neighbourhood Plan 1 and Plan 2 Area applications, and Milton Keynes Council and Great Linford Parish Council comments.

Figure 1: Great Linford Neighbourhood Area (Plan 1)



Great Linford Neighbourhood Area (Plan 1)

Figure 2: Great Linford Neighbourhood Area (Plan 2)



Great Linford Neighbourhood Area (Plan 2)

Not to Scale



TABLE OF CONSULTATION RESPONSES TO THE GREAT LINFORD NEIGHBOURHOOD PLAN 1 AND PLAN 2 AREA APPLICATIONS AND MILTON KEYNES COUNCIL AND GREAT LINFORD PARISH COUNCIL COMMENTS.

Consultation Response	Great Linford Parish Council Response	Milton Keynes Council Response
<p>I do not support the splitting of the Neighbourhood Plan into two parts. This seems based more on the belief that the general public is unable to see the area as a larger entity and is only able to see a smaller local area. The total area has distinct linear boundaries which are in both of the proposed areas, i.e. the canal, the Redway, leisure routes and the grid roads. These are main considerations in drawing up a neighbourhood plan and need to be considered together as a whole and not in two parts.</p>	<p>Following the initial review and consultation regarding the issues to be considered within the Neighbourhood Plan, GLPC concluded that the planning process could more effectively be conducted by dividing the total parish area into two distinct areas with a separate Neighbourhood Plan for each area.</p> <p>We believed that, by taking this approach, we could more effectively engage with local communities and prepare plans which are more appropriate to the particular needs of each area and which fitted with the GLPC vision for a stronger local community, a high quality environment, greater engagement and partnership, improved local services and social and economic wellbeing at a local level.</p> <p>We believed that it was important that a particularly strong response from residents in one relatively small part, of what is a very large and diverse community, should not have a disproportionate effect on what might be a very different neighbourhood in terms of needs and priorities a few miles away.</p>	<p>The Parish of Great Linford covers a large physical area consisting of 12 estates, including the Northern Expansion Area, many of which are very distinct in terms of their local environment and community.</p> <p>The range of issues that a Neighbourhood Plan will look to address are therefore likely to differ quite vastly across the Parish. Milton Keynes Council therefore supports the idea that preparing two separate plans will allow issues specific to certain areas to be focused on and addressed in more detail, whilst gaining more input and support from the communities directly affected.</p> <p>With regard to 'distinct linear boundaries' which run through both areas, many of these are strategic features that exist across the entire urban area of Milton Keynes and should be dealt with at a more strategic level. Whilst Neighbourhood Plans can address local issues in relation to these, they will also be addressed by Milton Keynes Council in the preparation of our new Local Plan (Plan:MK).</p>

Consultation Response	Great Linford Parish Council Response	Milton Keynes Council Response
<p>At the same time the Councils will duplicate scarce resources in preparing the plans, organising public participation and the like.</p> <p>My comments are made as both a local resident and as the local representative of the Cyclists Touring Club.</p>	<p>By running both plans in parallel and using the same documentation and format for both we believe that costs will be only marginally greater than producing a single plan but allow us to gain a better understanding of truly local issues whilst allowing for a synergy of ideas on common subjects such as transport and infrastructure .</p> <p>Because local engagement is a key factor in preparing a Neighbourhood Plan, that truly reflects residents' opinions, it would have been important to hold a number of local meetings across the parish irrespective of the number of plans. We do not therefore consider that any more time and cost has resulted from our decision to go with two plans rather than one.</p>	<p>With regard to resources it is expected that the funding from National Government, which will be received for each of the two plans, should be sufficient to cover the cost intensive parts of the process, such as the examination and referendum, for Milton Keynes Council. Great Linford Parish Council will still however be expected to cover their own costs.</p> <p>With the two plans being prepared in parallel, the opportunity to carry out certain parts of the process in unison will also help to ensure there is no major impact on financial or staffing resources at Milton Keynes Council.</p>

INTRODUCTION OF RESIDENT PERMIT PARKING ONLY SCHEME TO CUMBRIA CLOSE

Decision Taker: Councillor Long (Cabinet member for Health, Wellbeing and Community Services)

Author: Sara Bailey, Parking Strategy and Implementation Manager, Tel: 01908 252198

Executive Summary:

This report seeks to implement a Resident Permit Parking Only (RPPO) scheme to parts of Cumbria Close, Bletchley, as shown on the attached plan at the Annex.

1. Recommendation(s)

- 1.1 That a Resident Permit Parking Only scheme, which applies at all times be implemented in respect of residents living at 13 – 24 Cumbria Close (the elderly people's bungalows).

2. Issues

- 2.1 Residents contacted the Council for help because they were experiencing parking difficulties, and as a result, the Council has taken steps to address this.
- 2.2 An informal consultation was held with local residents in February 2014. Of the 9 responses received, 8 supported the introduction of a RPPO.
- 2.3 Cumbria Close is not adopted highway but is owned by MKC housing. MKC housing have given permission for an off street traffic regulation order to be introduced to address the parking problems.
- 2.4 The residents would be entitled to one resident permit for each vehicle they own and also one visitor permit per household. Registered carers are entitled to a carer parking permit. Informal/unregistered carers (e.g. a family member or friend) would need to use the visitor permit.

3. Options

- 3.1 Do not implement the scheme:

This would mean that the elderly residents, some of whom have mobility issues, would continue to struggle to park near to their homes, due to displaced parking parts of nearby Cumbria Close (the flats which have their own allocated parking) and Cardigan Close.

- 3.2 Implement the scheme to include all of Cumbria Close:

This would mean the inclusion of the flats numbers 1 – 12, who have their own allocated off road parking. The elderly residents of the Bungalows would continue to struggle to park near to their homes.

3.3 Implement the scheme as recommended in this report:

This is the preferred option as it will fully address the parking problems experienced by the elderly residents of the bungalows, ensuring that the parking space outside of their homes is only utilised by them.

4. **Implications**

4.1 Policy

These proposals are in line with policy in the current Local Transport Plan

4.2 Resources and Risk

The estimated cost to introduce this scheme is £3000 (breakdown below):

Introduction of TRO including advertising costs -	£1500
Signing	£ 500
Configuration of new parking permit on system	£1000

The estimated ongoing annual cost for permit issuing is £500

The implementation costs and the ongoing cost would be attributable to the SPA on street parking account

Y	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

Parking controls have a positive impact on reducing car use and therefore carbon emissions

4.4 Legal

A Traffic Regulation Order (TRO) is a legal order, which allows the Highways Authority to regulate the speed, movement and parking of vehicles and regulate pedestrian movement, which are enforceable by law

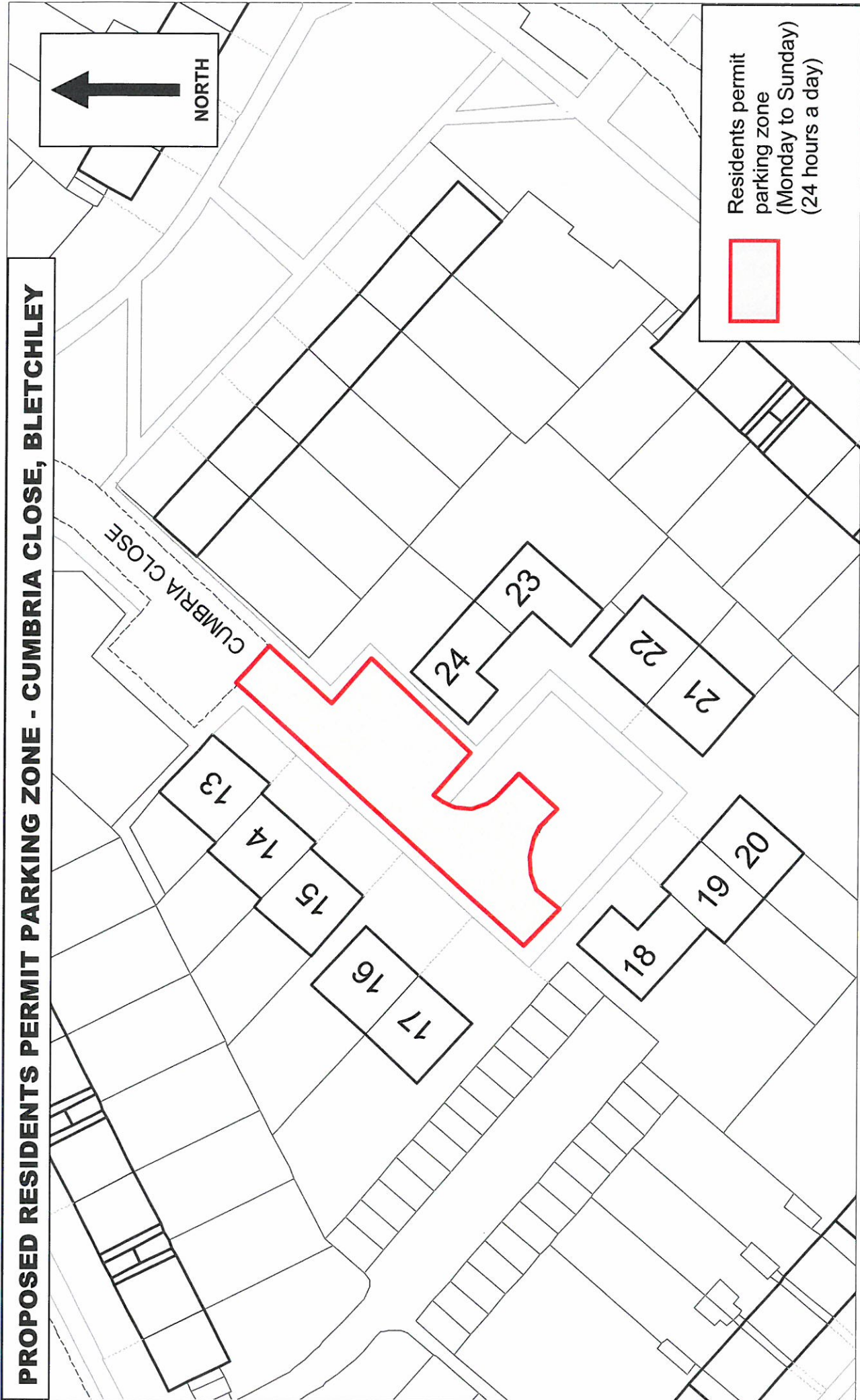
4.5 Other Implications

Management of a parking scheme can reduce crime and disorder, in particular, vehicle crime, due to the visibility of patrolling parking attendants

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	Y	Crime and Disorder

Background Papers: Local Transport Plan 3

Annex: Proposed Plan of Resident Parking Area



Please note: Addresses that are eligible for Residents Permits = 13 to 24 (inclusive)

Wards Affected:

Loughton and Shenley

ITEM 5**DELEGATED DECISION****24 JUNE 2014****MEDBOURNE COMMUNITY SPORTS PAVILION AND PLAYING FIELDS:
TRANSFER OF THE FREEHOLD OWNERSHIP TO SHENLEY CHURCH END
PARISH COUNCIL**

Decision Taker: Councillor O'Neill, (Cabinet member for Community Asset Transfer)

Authors: Paul Sanders, Assistant Director, Community Facilities Tel (01908) 253639
Neil Hanley, Community Solutions Programme Manager Tel (01908)
253632**Executive Summary:**

It is proposed that Medbourne Community Sports Pavilion and Playing Fields (as outlined in the Annex) is transferred to Shenley Church End Parish Council under the Council's Community Asset Transfer Toolkit and Programme. This future arrangement will, under the leadership of Shenley Church End Parish Council continue to provide improved high quality provision of various leisure and community activities for the people of Medbourne and the wider Milton Keynes into the future.

1. Recommendation(s)

- 1.1 That the freehold ownership of Medbourne Community Sports Pavilion and Playing Fields transfers to Shenley Church End Parish Council, on the basis of the agreed Heads of Terms.

2. Issues**2.1 Background**

The Community Asset Transfer (CAT) programme was considered by Cabinet in January 2012 and following a pilot scheme was subject to review by the Housing and Communities Select Committee (July 2012, April and October 2013) and approved by Delegated Decision on 31st July 2012. The CAT programme is part of Cluster 7 MKC Land and Property Major Projects and Programmes and has as an objective of:

'enabling local community partners to take more responsibility for local assets and wishes to empower these new arrangements with those organisations that may be best-placed to achieve this.'

2.2 The Two Stage Application Review

The Toolkit: 'Milton Keynes Council's Approach to Community Asset Transfer', (adopted by Cabinet in July 2012) was applied to this asset. Following receipt on 17th February 2014, applications from both Milton Keynes Leisure (MKL) and Shenley Church End Parish Council (SCEPC) have been reviewed in detail at an overall and individual criteria level by CAT Project Board members to provide the Cabinet with robust and evidenced comment in relation to the following

Stage Two application criteria:

- Relevant experience (credentials of the organisation, governance, managing policies)
- Managing the asset (operational proposals, facility maintenance development)
- Promoting the asset (advertising plans to generate community interest)
- Finances (financial validity, projections for next three years, budget management)
- Risk assessment (mitigating risks)

In addition to this report, the CAT Project Board application reviewed the outcomes which are presented as an Officer Assessment report and is available to view as a background paper.

Officers have allocated three marks to each criteria in accordance with the Council evaluation template as set out in the Stage 2 application form:

0	Response does not meet criteria and/or is unacceptable
1	Response partially meets requirements but contains material weakness, issues or omissions and/or is inconsistent
2	Response fit for purpose. Good in many respects. No significant weaknesses, issues or omissions
3	Response meets criteria to exceptional standard. Robust and detailed in all material respects. Minimal omissions

2.3 Summary of Assessment Scores

The table below summarises the scores for each of the submitted proposals. Both of the submissions scored highly and there are no areas in which either of the proposals failed to meet the minimum criteria.

Criteria	MKL	SCEPC
Experience		
Experience & Credentials	3	2
Governance	2	3
Policies and Procedures	3	1
Managing the asset		
Operational Proposals	2	3
Maintenance & Development	2	3
Promoting the asset		
Marketing Proposals	2	2
Finances		
Financial Viability	2	3
Risk		
Risk Assessment	1	2
Overall Scores	17	19

Both of the submissions satisfy the CAT Stage Two assessment criteria and should deliver the range of benefits sought by the CAT programme. Overall the proposal from SCEPC scores higher than the submission from MKL and is

(47)

considered to be a more attractive proposition as a result of the following factors:

- A more robust governance model
- A stronger operational, maintenance and development proposal
- Slightly less ambitious revenue projections.

Through the two-stage application process and subsequent assessment panels, SCEPC demonstrated that they met the criteria in terms of being a locally run, locally controlled, non-profit distributing, inclusive, and democratic organisation. Their subsequent business plan submission clearly demonstrated that as an organisation they meet the requirements of the CAT programme for a freehold transfer, and in the opinion of the relevant officers they have the required levels of experience of delivering services to the local community. Further to this, following approval by Cabinet through a delegated decision on 25th March 2014 it was proposed that Medbourne Community Sports Pavilion and Playing Fields continues through the CAT application process on a freehold basis.

2.4 Other Considerations

The primary purpose of the Medbourne Community Sports Pavilion and Playing Fields is to provide sporting and leisure activities for the community. The asset transfer will impose covenants or restrictions on use and if these are breached the Council could seek an injunction to prevent the unauthorised use, and can call for a payment of money based on any increase in value arising from the change of use. If claw-back is not paid, the Council will have a right to acquire the property for £1.

It is proposed to transfer the site, for the sum of £1, subject to restrictive covenants, claw back and a right of pre-emption to protect the Council's interests in ensuring that the asset continues to be used for community-oriented purposes. The Council is able to transfer the properties at less than best value through the use of the well-being powers contained in the General Disposal Consent 2003 mentioned below, which allows for such a disposal where it benefits the economic, social or environmental wellbeing where the undervalue is up to a maximum of £2 million. Medbourne Community Sports Pavilion and Playing Fields has been valued at less than £2 million.

Controls would be centred upon general property-related restrictions and claw back based upon facility use. There would be a restrictive covenant not to use Medbourne Community Sports Pavilion and Playing Fields for commercial purposes except ancillary to the overall current use of the facility, and that if the facility is left vacant for more than one year or sold or leased to another organisation without the Council's permission, the Council may take it back.

3. Options

- 3.1 An option could be to transfer Medbourne Community Sports Pavilion and Playing Fields down a CAT route under a 999 year lease however the level of protection and controls is very limited. The reason for this is that the Council cannot specify a service and if it does then the Council has to commence a procurement process via in-tend and also where above a certain value advertise the opportunity in Europe.

- 3.2 This asset could be brought into direct Council management
- 3.3 This asset could be sold at a commercial market rate with little future control by the Council.
- 3.4 The Asset could be put out to tender on a lease, serve contract and specification of service

4. **Implications**

4.1 Policy

The Council’s approach to Community Asset Transfer was formally adopted on 31 July 2012 following a delegated decision.

The objectives of the programme are firmly embodied within the current version of the Corporate Plan.

4.2 Resources and Risk

Shenley Church End Parish Council would take full responsibility for the asset, its liabilities and relevant capital investment into the future. There will be revenue saving as a result of the transfer of ownership by Milton Keynes Council to the Parish Council of £35,995 in 2014/15 of operation.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

Maintaining the resources at Medbourne Community Sports Pavilion and Playing Fields would provide a service for a wide variety of groups, both young and old, which they would otherwise have to travel further afield to achieve.

4.4 Legal

Throughout, the Council’s Legal team have been closely monitoring the impact of any legislation that might affect the progress of CAT and will continue to do so in the future.

Transfers at undervalue would potentially contravene State Aid regulations, which means they would be unlawful. The Council’s legal department advises this transfer does not contravene State aid.

Under S123 of the Local Government Act 1972, property disposals are to occur on the basis of best value being obtained. The Local Government Act General Disposal Consent 2003 provides a relaxation to this requirement up to a maximum value of £2m where the transfer will further the wellbeing of residents of Milton Keynes

4.5 Other Implications

As an integral part of this transfer arrangement an Equalities Impact Assessment has been completed. (Available on request)

The programme was promoted on the Council’s web link applications and the two stage application process was made available on-line.

Thorough public consultation on the Community Asset Transfer (CAT) Toolkit took place over a three-month period (31 January 2012 – 24 April 2012). Stakeholders had the opportunity to attend numerous events that were held across Milton Keynes and a public engagement event was held at Medbourne Community Sports Pavilion and Playing Fields clarifying the specific aspects related to this proposed asset transfer.

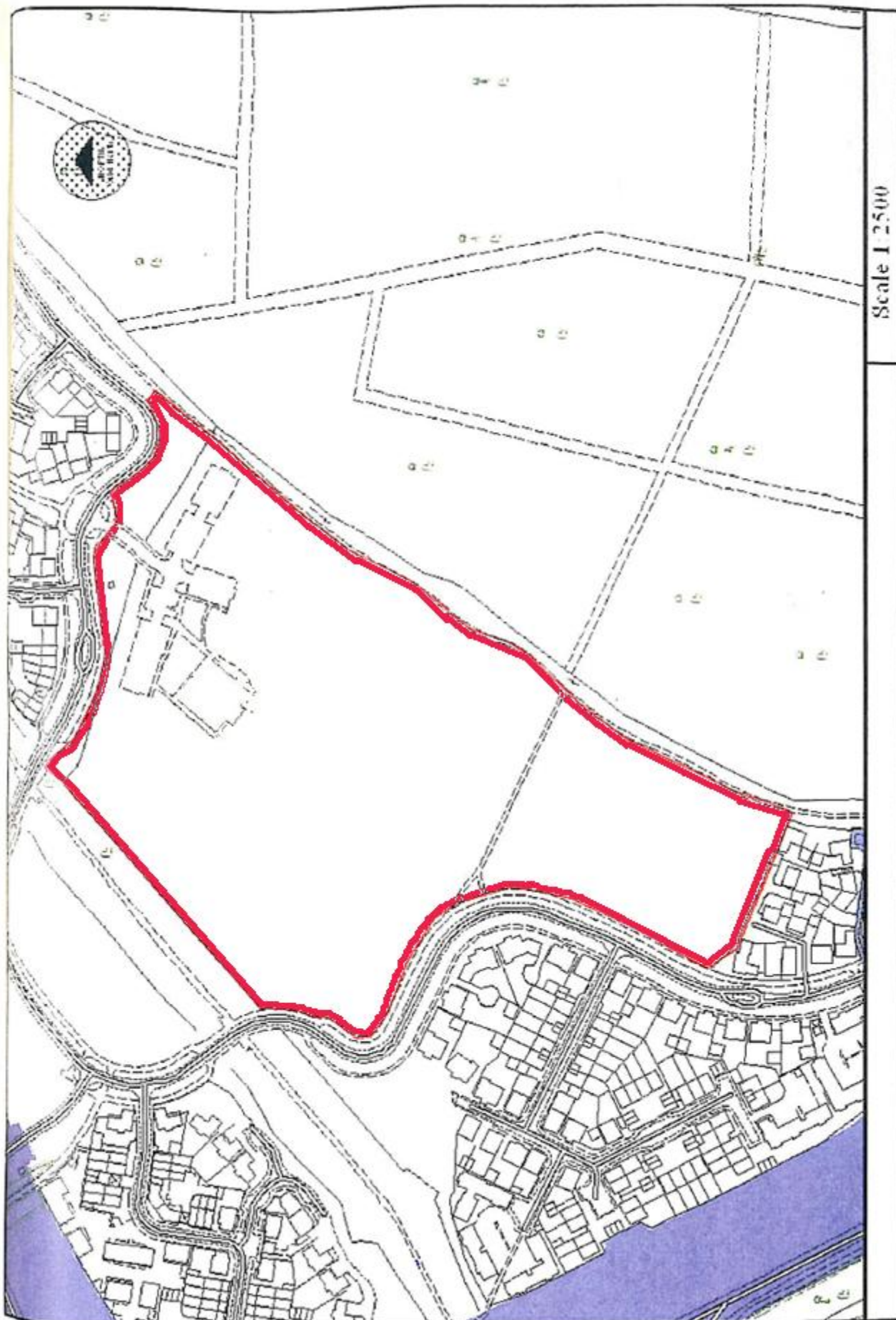
The local Ward Members as key stakeholders are aware of this development and have been involved in the consultation.

Y	Equalities/Diversity	N	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: Officer Assessment Reports for Milton Keynes Leisure and Shenley Church End Parish Council

Annex: Plan of Land to transfer

ANNEX A: Indicative plan of Medbourne Community Sports Pavilion - area outlined in bold to be transferred



Wards Affected:

Bradwell, Loughton and Shenley

ITEM 6**DELEGATED DECISION****24 JUNE 2014****PROPOSAL TO INCREASE THE PROVISION OF FREE EARLY EDUCATION PLACES IN AND AROUND TWO MILE ASH AND GREAT HOLM**

Decision Taker: Councillor Miles (Cabinet member for Children and Lifelong Learning)

Author: Simon Sims, Programme Lead, Setting and School Sufficiency and Access, Children and Families - Education, Effectiveness and Participation. Tel: (01908) 253919

Executive Summary:

The council is required to secure additional free early education places in the vicinity of Two Mile Ash and Great Holm as a result of a demographic increase and an extension to its statutory duties.

Having explored the options available to address the projected shortfall in this area and carried out a consultation with local stakeholders, the council is proposing to change the age range at Holmwood School to include a nursery provision for children aged from 3 years old.

There are five stages for a proposal to make a change to a school:

1. Consultation
2. Publication of a statutory notice
3. Representation
4. Decision
5. Implementation

The council has completed the first stage in relation to the proposal. This report is intended to report the results of the consultation process and proposes that the council moves to the second stage by publishing a statutory proposal.

1. Recommendation

- 1.1 That a statutory proposal be published to lower the age range at Holmwood School to enable the school to offer nursery provision for children from the age of three.

2. IssuesBackground

- 2.1 Historically, the majority of population growth that has occurred in Milton Keynes has resulted from new housing. This has meant that additional pre-school and school places have been able to be planned in advance of new areas of development and new provision opened to serve the increased demand for places. The growth in new areas happened in the context of reducing demand for places in other areas of the borough. However, Milton

Keynes, like many other authorities across the country, is experiencing an increase in the birth rate across most areas of the borough.

- 2.2 In addition to the increasing demographic, from September 2013, the local authority's statutory duty to secure free early education provision has been extended to include two year olds who meet the prescribed eligibility criteria. The number of two year olds eligible under this duty will increase significantly in September 2014. This will increase pressure on provision across the borough.
- 2.3 To assist local authorities to plan sufficient places, the Department for Education published data on 18 December 2013 which estimated 1,459 two year old children living in Milton Keynes would be eligible to receive their free entitlement in September 2014; this compared to 800 in September 2013. Whilst this data does not provide estimates for each settlement within the borough, estimates are available for each postcode sector. Analysis shows these estimates are broadly comparable with our local projections.
- 2.4 Analysis of early years provision projects additional places are required in this area. Currently there are no maintained nursery classes within Great Holm or Two Mile Ash, which limits parental choice.

The Proposal

- 2.5 The Headteacher and Governing Body of both Ashbrook School and Holmwood School have expressed their desire to change the school's age range to incorporate nursery provision for children aged from three, in order to alleviate the pressure for places in the area, and free up some places at existing providers to cater for the increased demand from 2 year olds.
- 2.6 Ashbrook School is located in Two Mile Ash, and was judged to be providing an 'outstanding' standard of education during the school's inspection by Ofsted in June 2009. Holmwood School is located in Great Holm and was judged to be providing a 'good' standard of education during the school's inspection by Ofsted in May 2011.
- 2.7 Both schools currently cater for children from Year R to Year 2 and expressed a desire to provide a 30 place nursery provision, offering up to 60 additional free early education places at each site (morning and afternoon sessions).
- 2.8 The proposals to alter the age ranges at Ashbrook School and Holmwood School required a consultation before the change could proceed further giving parents, carers and the community an opportunity to share their thoughts on the proposed changes.
- 2.9 The consultation documents proposed that the change of age range would apply with effect from September 2015. We have since been advised that, due to the time required to support the approvals and procurement processes, the change to age range would need to be effective from September 2016. This does not affect the proposal in principle.

Consultation

- 2.10 Consultations on the proposed expansion of both Ashbrook School and Holmwood School took place between 3 February and 21 March 2014, a period of six working weeks in term time.
- 2.11 A total of 549 consultation documents were sent out to a range of stakeholders and the consultations were available on line, alongside an electronic response form. Drop in sessions were also held at the schools to give stakeholders the opportunity to submit views and discuss the proposed expansion plans. A full record of the consultation processes, the views received, and officers' response to these views area attached for each school at Annex A and B.
- 2.12 The consultation responses for Ashbrook School are summarised in Annex A. This shows that there were 15 responses to the consultation. 1 of those who responded was in favour of the proposal to change the age range at the school, whilst 12 of those who responded were against the proposal. The main concerns cited by those against the proposal were that it would increase traffic and parking issues in the area, reduce the outdoor play area, cause disruption during the building phase, and adversely impact upon existing pre-school provisions.
- 2.13 The consultation responses for Holmwood School are summarised in Annex B. This shows that there were 12 responses to the consultation. In contrast to the consultation for Ashbrook School, a small majority of respondents (7) were in favour of the proposal. The main benefit cited was that it would increase the provision of nursery places in the area.

3. Options

3.1 There are four options:

(a) Do nothing

Milton Keynes Council has a statutory responsibility to ensure that there are sufficient free early education places for all children aged three and four in the borough. The projected shortfall for residents in and around the Two Mile Ash and Great Holm estates exists in the broader context of projected shortfall of places elsewhere in the borough due to the rise in the birth rate and other new housing development. In addition, the extended requirement for local authorities to provide free early education places for 20% of two year old children in 2013, rising to 40% in 2014, has resulted in greater pressure across the early education sector. If nothing is done then initially parents would need to transport children to schools and providers elsewhere across the borough and ultimately there would be some children for whom no free early education place would be available at all.

(b) Change the age range at both Ashbrook School and Holmwood School

The council could proceed with the statutory process to change the age range at both Ashbrook and Holmwood schools by publishing a statutory notice for each proposal. Whilst a small majority of respondents were in favour of the proposal to change the age range at Holmwood School, a significant majority of respondents were against the proposal to change the age range at Ashbrook School. Whilst officers consider that appropriate actions could be taken to mitigate many of the concerns raised, there is a risk that proceeding with both proposals at the same time, thereby creating up to 120 additional places, could detriment existing early education providers in this area. Particular concerns were raised by providers responding to the Ashbrook School consultation.

(c) Publish a statutory notice to change the age range at Ashbrook School

The council could proceed with the proposal to change the age range at Ashbrook School by publishing a statutory notice, and delay proposals to change the age range at Holmwood School. Whilst this would achieve an increase in the number of free early education places available in the area by up to 60 places, the consultation responses show existing providers in this area have concerns that this could adversely affect them, as there are already two other pre-schools on this estate. If one proposal is to proceed, it makes sense that this is not the one with the least community support.

(d) Publish a statutory notice to change the age range at Holmwood School (**preferred option**)

The council could proceed with the proposal to change the age range at Holmwood School by publishing a statutory notice and delay proposals to change the age range at Ashbrook School. This would achieve an increase in the number of free early education places available in the area by up to 60 places, whilst taking account of the views of the local stakeholders. Proposals regarding Ashbrook School could be re-reviewed once the impact of the extended duty in this area is clearer.

4. Implications

4.1 Policy

Ensuring sufficient early education and school places is fundamental to delivering the council's vision that our residents have access to all the services they need and have the support to access opportunities and enjoy a healthy and good quality of life.

4.2 Resources and Risk

Capital

An initial estimate of the costs associated with providing the additional accommodation required at either school as a result of the change of age range is £650k per school. An initial estimate of the Resources can be

accommodated within the school build programme and all building work will be taking place at the existing school site. Authority to seek both spend and resource approval will be considered by the Capital Programme Review Panel and come forward for approval by Cabinet.

Revenue

Early years and schools revenue funding is part of the Dedicated Schools Grant (DSG) and therefore these proposals do not directly impact on the council's General Fund.

Y	Capital	N	Revenue	Y	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

The capital works linked to this proposal would be delivered in line with the council's Carbon and Energy Management Policy and support the principles of maximising energy efficiency and carbon reduction in buildings, equipment and vehicles and would use the most sustainable or renewable energy sources.

4.4 Legal

This proposal is subject to statutory procedures as established by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

If approved, the next step will be for the council to publish a statutory proposal under Schedule 3 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. This will appear on our website, as a notice in the press and outside the school. Following publication there is a further period of four weeks within which representations can be made to the council. Once that representation period expires, the council has two months to decide whether the change should proceed.

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers:

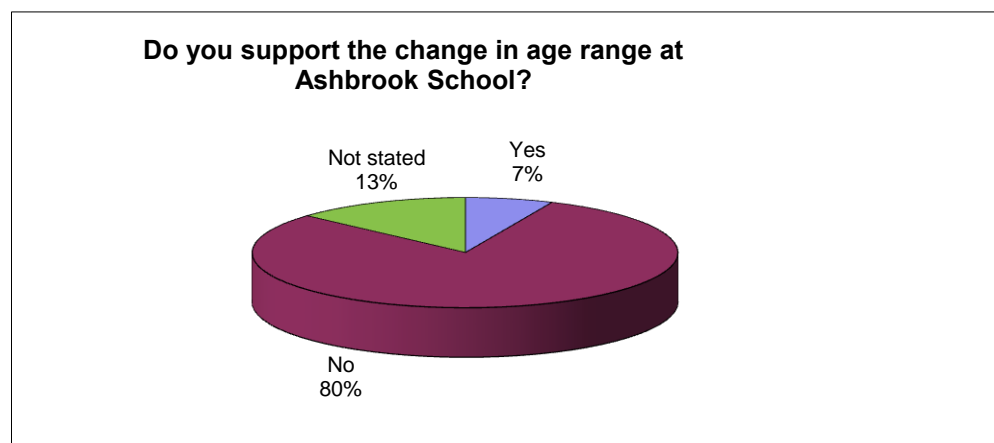
1. Setting and School Place Planning Frameworks September 2013 (<http://www.milton-keynes.gov.uk/children-young-people-families>)
2. Early learning for 2-year-olds: estimates of the number of eligible children (<https://www.gov.uk/government/publications/la-allocations-for-early-learning-for-2-year-olds-2014-to-2015>)

Proposed change in age range at Ashbrook School Summary of consultation responses



June 2014

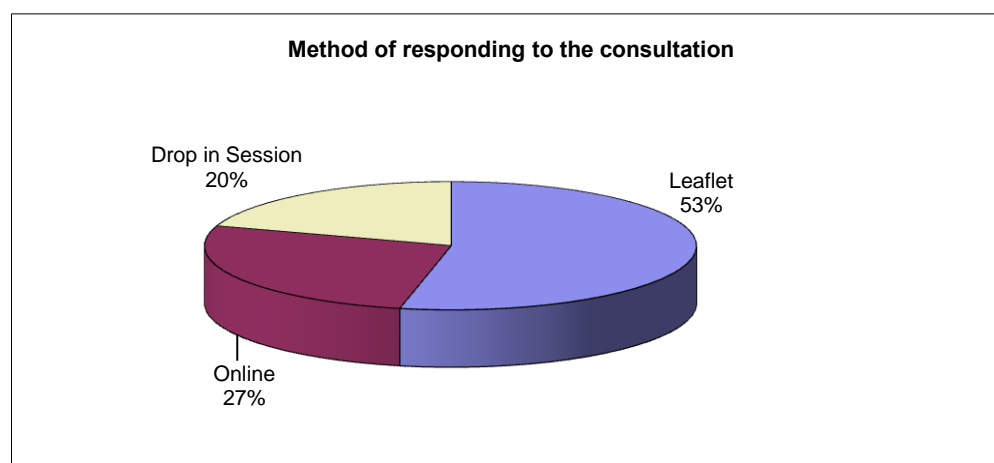
Stakeholder	No. of responses	Yes	No	Not stated
Parent/carer of a child at Ashbrook School	4	1	2	1
Parent/carer of a child at another School	5	0	5	0
Local resident	4	0	3	1
Member of staff at local pre-school	1	0	1	0
Not stated	1	0	1	0
Total	15	1	12	2



Main points of concern raised if against the proposal	Number
Multiple points against the proposal	9
The proposal would result in traffic problems	1
Impact on existing pre-school provision	2
Total	12

In the 'multiple point' category, the response referred to traffic issues, parking concerns, reduction of outdoor playing area, disruption during the build and the impact on existing pre-school provisions.

Main themes raised if in support of the proposal	Number
Increased nursery provision	1
Total	1



Summary of the consultation process

The consultation process to obtain stakeholders' views about the proposed change in age range at Ashbrook School took place over a six week period between Monday 3 February 2014 and Friday 21 March 2014 inclusive.

A total of 269 consultation documents were sent out to numerous stakeholders, as follows:

- All staff, governors and parents at Ashbrook School
- Headteachers of all schools in the surrounding area
- Nurseries, pre-schools and children's centres located in the area
- Milton Keynes MPs, local councillors, and local parish councils
- Representatives from the Oxford Diocese (Church of England) and the Northampton Diocese (Catholic)
- Trade unions

The consultation was also available on the council's website, alongside an electronic response form.

During the consultation period, a session was also held at the school to give stakeholders the opportunity to submit views and discuss the proposed expansion plans. This meeting was as follows:

Meeting	Details
Drop-in session at Ashbrook School held on Monday 3 March 2014 (3.00pm to 6.00pm)	61 people attended this session. Those attending had the opportunity to discuss aspects of the proposal with the Headteacher and representatives of Ashbrook School and officers from the council.

During the consultation period 15 responses were received, returned either via forms from the consultation leaflets, on-line from the council website or from comments forms completed at the drop in session. In total 269 leaflets were distributed to a wide range of stakeholders. **This results in a 5% response rate.**

A large majority of respondents (12) were against the proposal to change the age range of the school.

What themes emerged from the consultation?

The purpose of this section is to summarise the key points resulting from all forms of response, whether these were via the leaflet, views expressed in the drop in sessions, or views expressed on-line. A number of themes arose from all the responses combined, and these themes, with respective key points, are shown below. An overall response is then given for each theme.

Theme – Impact on traffic and parking in the local area

- Impact on increased school traffic and local streets are congested
- The parking around the school is dangerous and there is insufficient parking
- A local middle school is currently being expanded and this will increase school traffic and the need for better parking facilities.

Response

Impact on local traffic and streets will be kept to a minimum by staggering the proposed Nursery's opening times and consultation with Highways and Road Safety during the design development.

Additional parking spaces are being created on the school site as part of the proposals. A parking scheme will be developed with Highways and Road Safety during the design development this is likely to include the use of control measures to alleviate any problems currently experienced.

The proposals to mitigate any impact on parking and congestion will be subject to approval by planning permission; this will include a transport assessment and a school travel plan.

The proposals at the local middle school will be subject to a separate planning application, considerations will be given to the impact of those proposals on traffic and parking, a separate transport assessment and school travel plan will be provided for this application.

Theme – reduced external play area

- Reduction of outside space would be detrimental to pupils and could compromise the values of the school.

Response

Where there is a loss of outside play space and facilities this will be replaced to ensure the school complies with the statutory regulations

Additional play space will be designed in consultation with the school to ensure viability

Theme – pupils could be disrupted by the proposed building works.

- Disruption to children during the building phase.

Response

The building works will be fully enclosed with timber hoarding, to minimise disruption. Deliveries and noisy operations will be kept to a minimum and will take place, where possible, when the school is not in occupancy.

Theme – Impact on existing pre-school providers in the area

- It could have a negative impact on the existing pre-schools and could lead to potential closures
- There is adequate provision from existing pre-schools and the increased nursery places could be filled by children out of the area which could further increase traffic congestion
- It could lead to an increase of 2 year old children in existing pre-schools and a reduction of 3-4 years old which could impact financially on the pre-school in terms of equipment and staff ratios
- To consider increasing the nursery provision in areas where there is only one existing pre-school.

Response

The local authority's duty to secure prescribed early education provision was extended in September 2013 to include the 20% most disadvantaged two year olds, as well as three and four year olds. This will be further extended in September 2014 to include the 40% most disadvantaged two year olds.

In addition to these new duties, our data projects there is already a shortfall of provision in this area, and these projections are supported by high occupancy rates at existing providers. The proportion of children taking up their entitlement to free early education is currently lower than the national average, and we are seeking to address this issue. Unlike other areas, there are currently no maintained nursery provisions within these estates, which limits parental choice.

The funding local early education providers receive for delivering the free entitlement takes account of the increased costs associated with provision for two year olds. Early education providers are therefore not financially disadvantaged due to the requirement for higher staffing ratios.

Comment made in support of the proposal

Theme – Nursery Facilities

- The nursery facilities will meet the needs of the local area.



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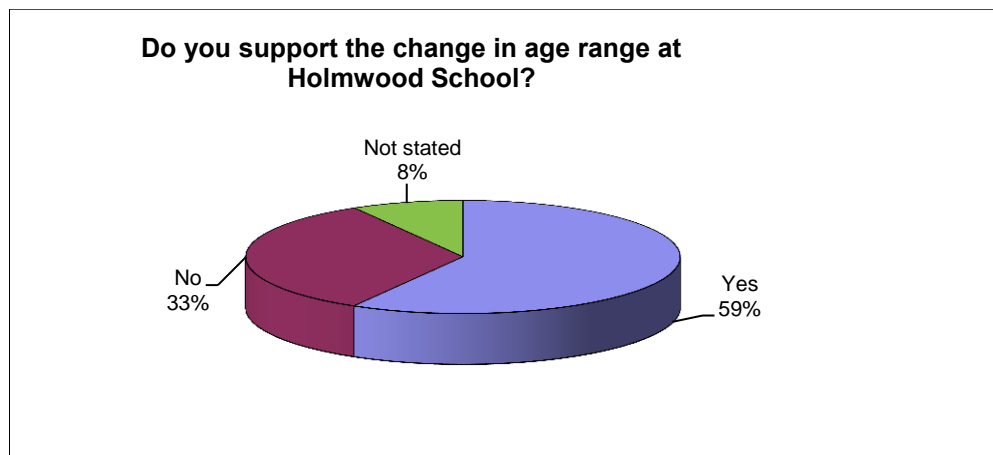
Proposed change in age range at Holmwood School Summary of consultation responses



June 2014

Summary of responses to the consultation:

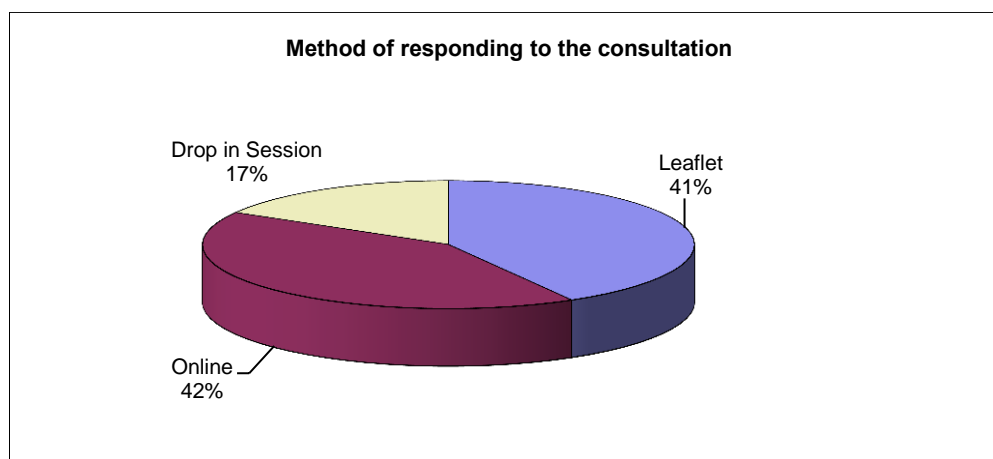
Stakeholder	No. of responses	Yes	No	Not stated
Parent/carer of a child at Holmwood School	6	4	2	
Member of staff at Holmwood School	3	3		
Local resident	1		1	
Member of staff at local pre-school	1		1	
Other	1			1
Total	12	7	4	1



Main points of concern raised if against the proposal	Number
Multiple points against the proposal	4
Total	4

In the 'multiple point' category, the response referred to traffic issues, parking concerns, access to external play areas and disruption during the build. It also referred to the potential impact on existing pre-school provision in the area.

Main points raised if in support of the proposal	Number
Increased nursery provision	5
Drop-off and pick up times	1
Not stated	1
Total	7



Summary of the consultation process

The consultation process to obtain stakeholders' views about the proposed change in age range at Holmwood School took place over a six week period between Monday 3 February 2014 and Friday 21 March 2014 inclusive.

A total of 280 consultation documents were sent out to numerous stakeholders, as follows:

- All staff, governors and parents at Holmwood School
- Headteachers of all schools in the surrounding area
- Nurseries, pre-schools and children's centres located in the area
- Milton Keynes MPs, local councillors, and local parish councils
- Representatives from the Oxford Diocese (Church of England) and the Northampton Diocese (Catholic)
- Trade unions

The consultation was also available on the council's website, alongside an electronic response form.

During the consultation period, a session was also held at the school to give stakeholders the opportunity to submit views and discuss the proposed expansion plans. This meeting was as follows:

Meeting	Details
Drop-in session at Holmwood School held on Tuesday 4 March 2014 (3.00pm to 6.00pm)	18 people attended this session. Those attending had the opportunity to discuss aspects of the proposal with the Headteacher and representatives of Holmwood School and officers from the council.

During the consultation period 12 responses were received, returned either via forms from the consultation leaflets, on-line from the council website or from comments forms completed at the drop in session. In total 280 leaflets were distributed to a wide range of stakeholders. **This results in a 4% response rate.**

A small majority of respondents (7) were in favour of the proposal to expand the school.

What themes emerged from the consultation?

The purpose of this section is to summarise the key points resulting from all forms of response, whether these were via the leaflet, views expressed in the drop in sessions, or views expressed on-line. A number of themes arose from all the responses combined, and these themes, with respective key points, are shown below. An overall response is then given for each theme.

Theme – Impact on traffic and parking in the local area

- Impact on increased school traffic and local streets are congested
- The parking around the school is dangerous and there is insufficient parking
- Insufficient parking at school pick-up and drop off times and local streets are congested
- Consideration should be given to implementing a satisfactory parking and/or transportation scheme.

Response

Impact on local traffic and streets will be kept to a minimum by staggering the proposed Nursery's opening times and consultation with Highways and Road Safety during the design development

Additional parking spaces are being created on the school site as part of the proposals.

A parking scheme will be developed with Highways and Road Safety during the design development, this is likely to include the use of control measures to alleviate any problems currently experienced.

The proposals to mitigate any impact on parking and congestion will be subject to approval by planning permission; this will include a transport assessment including a school travel plan.

Theme – reduced external play area

- Reduction of outside space and facilities would be detrimental to pupils

Response

Where there is a loss of outside play space and facilities this will be replaced to ensure the school complies with the statutory regulations

Where playground is lost as part of the proposals additional play space will be provided and designed in consultation with the school to ensure viability.

Theme – pupils could be disrupted by the proposed building works.

- Pupils may be denied access to the play area during the building work
- The part of the field that will be made available during the building works is often water logged and un-useable.
- Disrupt the learning environment during the building phase

Response

During the building works safe access will be maintained to the play area unaffected by the proposals.

There is no allowance for statutory team game playing fields for schools of this type, the waterlogging may be part of a wider problem outside of the remit of this project

The building works will be fully enclosed with timber hoarding, to minimise disruption. Deliveries and noisy operations will be kept to a minimum and will take place, where possible, when the school is not in occupancy.

Theme – Impact on existing pre-schools in the area

- It could have a negative impact on the existing pre-schools and could lead to potential closures
- The council should concentrate on pre-schools already in the area and try to improve these

- It could lead to an increase of 2 year old children in existing pre-schools and a reduction of 3-4 years old which could impact financially on the pre-school in terms of equipment and staff ratios
- To consider increasing the nursery provision in areas where there is only one existing pre-school.

Response

The local authority's duty to secure prescribed early education provision was extended in September 2013 to include the 20% most disadvantaged two year olds, as well as three and four year olds. This will be further extended in September 2014 to include the 40% most disadvantaged two year olds.

In addition to these new duties, our data projects there is already a shortfall of provision in this area, and these projections are supported by high occupancy rates at existing providers. The proportion of children taking up their entitlement to free early education is currently lower than the national average, and we are seeking to address this issue. Unlike other areas, there are currently no maintained nursery provisions within these estates, which limits parental choice.

The funding local early education providers receive for delivering the free entitlement takes account of the increased costs associated with provision for two year olds. Early education providers are therefore not financially disadvantaged due to the requirement for higher staffing ratios.

Comments made in support of the proposal

Theme – Nursery Facilities

- The convenience of having nursery facilities at Holmwood school
- The nursery facilities will provide a better transition from nursery to school for the pupils
- A nursery would be an asset to the local area and for the education of the children
- Nursery provision would make it easier for parents at drop off and collection times particularly if there are older siblings at the school.



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Wards Affected:

See Paragraph 2.5 of the report

ITEM 7**DELEGATED DECISION****24 JUNE 2014****APPOINTMENT OF LOCAL AUTHORITY REPRESENTATIVE GOVERNORS**

Decision taker: Councillor Miles, Cabinet Member for Children's Services and Lifelong Learning

Author: Sue Bruce, Governor Services Officer, Tel: (01908) 253614

Executive Summary:

To appoint Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2007.

To nominate Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

To nominate Local Authority Representative Governors to academy governing bodies as appropriate.

1. Recommendation

- 1.1 That the public and press be excluded from the meeting by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, during consideration of the Annexes to this report.
- 1.2 That the appointment or nomination of Local Authority Representative Governors be approved (Annexes).

2. Issues

- 2.1 The Local Authority's statutory duty to appoint representative governors is limited to the governing bodies of maintained schools constituted under School Governance (Constitution) (England) Regulations 2007.
- 2.2 There is no requirement to make appointments to school governing bodies constituted under School Governance (Constitution) (England) Regulations 2012.

For governing bodies constituted under these regulations, the Local Authority is asked to nominate a person who would then be appointed by the governing body having, in the opinion of the governing body, met any eligibility criteria set by the governors.
- 2.3 There is no requirement to make nominations to academy governing bodies unless requested by the governing body or academy trust.
- 2.4 To ensure that governing bodies can operate effectively, it is essential that, where possible, they have a full complement of governors representing a wide range of interests and are committed to serving the school and its pupils. This is emphasised within the Appointment and Dismissal Procedure for Local Authority

Governors, which sets out the selection criteria. Local authorities are also required to ensure that vacancies do not remain open for an unreasonable period.

2.5 Governor nominations will be considered for the following schools:

- (a) Broughton Fields Primary (Broughton ward)
- (b) Heelands (Bradwell ward)
- (c) Oldbrook (Central Milton Keynes ward)
- (d) Lavendon (Olney ward) – two nominations for one vacancy
- (e) Water Hall (Bletchley East ward)

Alternative Options

2.6 The only alternative option is not to appoint Local Authority Representative Governors to the identified vacancies. However, as already stated, local authorities are required to ensure that vacancies do not remain open for an unreasonable period.

3. Implications

3.1 Policy

None.

3.2 Resources and Risk

None.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

3.3 Carbon and Energy Management

None.

3.4 Legal

The legal requirement for the appointment of LA representative governors is stipulated in the School Standards and Framework Act 1998, as amended by the Education Act 2002.

Every governing body, under section 19 of the Education Act 2002, regulation 13 of the School Governance (Constitution) (England) Regulations 2012 and regulation 6 of the School Governance (Constitution)(England) Regulations 2007, is required to have at least one representative of the Local Authority as part of its membership. Free Schools and Academies are exempt from this requirement.

3.5 Other Implications

None.

N	Equalities / Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers:

- School Standards and Framework Act 1998, as amended by the Education Act 2002.
- School Governance (Constitution) (England) Regulations 2007
- School Governance (Constitution) (England) Regulations 2012
- Procedure for the Appointment and Dismissal of Local Authority Governors
- Articles of Association for Academies